

JOINT REPORT
OF THE
EXECUTIVE COUNCIL AND OFFICERS
TO THE
Fifty-Second Annual Convention
OF THE
Massachusetts
State Federation of Labor



LOWELL, MASSACHUSETTS

AUGUST 2, 1937



JOINT REPORT

OF

EXECUTIVE COUNCIL AND OFFICERS



As provided in the Constitution, your officers and members of the Executive Council respectfully submit the following report for the consideration of the delegates to the 52nd Annual Convention of the Massachusetts State Federation of Labor. Herein will be found an account of the activities of the Federation since the last convention.

The Executive Council met regularly at the call of President John F. Gatelee, considered and disposed of matters referred to it by the 51st Annual Convention as well as business of current interest to this organization.

Your officers are pleased to report that the Massachusetts State Federation of Labor continues to grow and become more powerful, influential and helpful. Details regarding the numerical and financial standing of the Federation will be found in the following reports.

The past year has been one of the busiest in many years. With an organization campaign being conducted under the supervision of Representative Francis P. Fenton, his staff of organizers has organized scores of new unions, enlarged many existing organizations, and has otherwise been helpful in expanding the ranks of organized wage earners in Massachusetts and throughout New England.

Along legislative lines your officers are pleased to report an exceptionally successful year. A detailed report of progress in such matters will be found in the report of the Assistant Secretary-Legislative Agent.

Assistance and service of varying kinds have been rendered to affiliated organizations. Advice regarding wages, working conditions, contracts, labor laws, etc., has been rendered to many of our local unions. Speaking assignments have been fulfilled by your officers throughout the state on various occasions. In many other ways assistance to our affiliated unions has been rendered.

With differences existing within the American labor movement and with many other serious problems confronting trade unionists throughout the country, your officers have weighed their decisions with utmost care and, it is hoped, to the satisfaction of the delegates and members.

This annual report is submitted with suggestions and recommendations for the consideration of the delegates, which, with other matters of importance to be considered at the 52nd Annual Convention, we trust, will be carefully deliberated and considered so that the actions of the delegates will start your officers for the ensuing year to greater success for the Massachusetts State Federation of Labor.

UNEMPLOYMENT

Recovery has not brought real re-employment by private industry. While some hopeful economists believe that a shortage of labor is "just around the corner," practical people realize the present multitudes of unemployed seem more likely to stretch around that corner and overcrowd the sidewalks for years to come.

In our big community, those who have jobs seem able to produce more than enough to satisfy the purchasing capacity of the multitudes. The workers have full time jobs of production but only part-time opportunity to consume what the community produces. Cash wages have not kept pace with buying needs, especially when those who have jobs are paying so major a share of the cost of feeding, housing and clothing the unemployed.

While the large taxpayers protest at governmental expenditures and high taxes, the worker who as consumer bears the brunt of the costs shoulders the burden quietly because he knows that human needs must somehow be met.

The worker has a right, however, to insist that industry face reality and a permanent remedy promptly prepared. To have 15% or 20% of available labor constantly idle is a human waste. If industry is unable under present methods to absorb the unemployed even during periods of intense activity, the time has come for industry to reduce the work-week and extend employment opportunities.

The only cure for unemployment is jobs. Unless the nation wants to face taxation to provide a living income for those involuntarily idle, the nation must demand that industry widen employment opportunities.

Until the American nation finds the solution of this fundamental human problem, our economic civilization is like a high powered automobile roaring around in circles while its inventors pay heavily for its upkeep while walking their ways wearily. Waste of human capacity and effort is the most dangerous debt any community can incur.

Even some employers are recognizing the absolute need of reducing the hours of employment so as to offer employment to the millions of victims of the depression. But few have voluntarily taken it upon themselves to reduce the hours of employment within their own plants. Nor has legislation met the situation adequately.

From experience in connection with organizing wage earners in Massachusetts and signing contracts requiring reductions of hours of employment, it has been heartening to note that at least some of the great army of employed are being absorbed.

Liberality of employers, or national legislation, may be the cure to the employment situation, but unionization, we know, will actually help cure it.

ORGANIZATION OF LABOR

An attempt to accurately appraise the gains made by the American labor movement, or by the labor organizations within Massachusetts, would be impossible. All that can be said in this regard is that daily and weekly hundreds and thousands of workers are enrolling as members of unions. Vast gains have been made on many important fronts and probably would

be much greater if all elements in the labor movement were working together instead of being divided.

The increase in the number of locals of international and national unions, and also in the number of federal local unions under the American Federation of Labor, seems to have no equal in our history. Nationally, this wholesale recruiting of the unorganized has not taken place without some blunders and confusion. In their eagerness to accept the benefits of organization, green recruits have anticipated the arrival of experienced organizers by staging rump strikes and so-called "sit-downs" in some instances. In a few cases such action has given the enemies of labor a chance to discredit them.

In Massachusetts very little, if any, confusion has attended the aggressive and successful campaign to organize wage earners. Probably this desirable condition is at least partly due to the confidence both employees and employers now have in the arbitration and conciliation facilities of the Department of Labor and Industries since James T. Moriarty has become Commissioner.

As the campaign continues, labor must avoid falling into habits of fratricine warfare and must place the good of all working men and women above everything else. Otherwise, public opinion, which at present is friendly to labor, may come to look upon labor as a selfish and self-centered group which is not able to see beyond the end of its collective nose.

It cannot be stated too strongly here that organized labor is undergoing the closest scrutiny of its life in the United States, largely because labor is on the march. The representatives of labor, therefore, must be careful to purge themselves of petty jealousies and rivalries, and to concentrate on making real and vital the cardinal principle of labor and the founders of our country that, "In Union there is strength!"

Greater attention should be paid to our individual chances to make contributions and sacrifices for the cause of labor such as were made by the heroes and martyrs who founded the movement. If any of us is in the movement for personal advancement, he will do well to remember that the opportunities for power and profit are greater in other fields.

Finally, it should be recalled that an army which falls to fighting in its own ranks will never be effective in destroying the strikebreakers and open shoppers who still infest the American scene in spite of the decision by Congress, the President, and the Supreme Court that American working men and women shall have the right to bargain collectively with their employers through representatives of their own choosing.

Great gains have been made during the first half of 1937, but greater gains can be made during the second half if labor will but make the mutual sacrifices which are the inevitable materials of fair compromise. Our job is to get together and to finish the work which has been begun, to educate all working men and women of all occupations and degrees of skill to the importance of the labor movement.

The old saying that America cannot continue half slave and half free was never more true than now, when new mechanical inventions threaten to turn all of us into the slaves of periodic unemployment. We must combine in unions strong enough to compel the owners to use the machines in a

decent, democratic manner for the welfare of all of the people. Let us remember that "an injury to one is an injury to all," and that if we don't lick the open shop, it will eventually lick us.

UNEMPLOYMENT INSURANCE

Of the numerous changes embodied in the amendments to the Massachusetts Unemployment Compensation Law, there are six outstanding improvements from the viewpoint of the wage earners for whose benefit the law was originally created.

The first, and perhaps most important if not most obvious improvement, is the simplification of administrative procedure, with particular reference to changes in the methods of computing and certifying the payment of benefits. Where there had been grave doubts as to the ability of the Commission to certify payments promptly under the old procedure, it is now likely that benefits can and will be paid promptly when due.

Another important change in the interest of the workers is the reduction of the waiting period during which an unemployed person will have to wait for benefits after he has registered as unemployed. While this period was formerly four weeks, it has been reduced to three weeks, starting with the nearest Sunday to his registration. If a worker is laid off on a Thursday, Friday, or Saturday, he may register on any day up to and including the following Wednesday, and his waiting period of three weeks starts on the Sunday after his lay-off.

Under the original law, the employee made a contribution of 1 per cent of his wages in 1937, with an increase in future years. The law has been amended to fix the employee contribution at 1 per cent. The employee is thus actively participating in his own unemployment insurance at a reasonable expense and an easily computed rate.

Up to the present time, those workers who are employed at a "rate of \$2,500 per year or more, or \$50 per week or more" have been outside the scope of the law. There were two principal difficulties with this situation: (1) Those workers who earned more than \$50 per week for comparatively short periods, with periods of unemployment intervening, were offered little or no protection, and (2) workers whose wages hovered close to the \$50 borderline were constantly faced with the question of whether or not their employers would or should deduct contributions from their wages. Under the new provisions, every employee in a service subject to the act will participate to the extent of the first \$2,500 of his annual wages. This change gives protection to many workers who need it and to whom it was formerly denied, at the same time eliminating some confusion and providing a net increase to the fund available to pay benefits.

The old law covered only those working for employers of eight or more. This has resulted in an unfair situation, both in respect to employers and workers. The employer of eight or more suffered a competitive disadvantage as against employers of less than eight who were exempt from contributions. Any competitive disadvantage of an employer reflects against the interests of his employees. On the other hand, the employees of smaller exempt concerns who might need protection the most were cut out of participation in unemployment insurance.

The new law provides that from 1939 forward, employers who have, during the current or previous year, employed four or more persons, will come within the scope of the law. This partially cures the inequality mentioned above, and should have the added advantage of discouraging certain employers, now subject to the act, from splitting their organizations up, or reducing the number of employees to less than eight with the object of evading the law.

The ideal situation is an inclusion of all employers if they employ even one worker. This, it is hoped, will eventually come about. However, it is the opinion of those who are administering the law that the task of enrolling the thousands of additional small employers should not be undertaken until the records and procedure covering the larger employers now subject to the law are more thoroughly completed. The present change is but a step in the right direction.

Last, and most important of the major benefits to labor in the amendments, is the redrafting of the clause withholding benefits from persons who are unemployed by reason of a labor dispute. Formerly, all labor disputes—including lock-outs — caused the cutting off of benefits. Under the new legislation, only the participation, financial interest, or membership in a group involved in a labor dispute are cause for withholding benefits. This change makes for a more equitable situation.

While the changes mentioned above are the principal ones, there have been embodied in the new act many minor improvements all along the line. There is no claim that the amended law has reached or even approached perfection.

Perfection has not been attained in any law as yet and to demand it in a new field, such as unemployment compensation, would be unreasonable. As defects in the new law become apparent, further improvements will be sought from the General Court.

When the Social Security Act was subjected to unfair and dishonest criticism by partisan orators, hostile publishers and reactionary employers, the officers and members of the Massachusetts State Federation of Labor rallied vigorously to the defense of this vital plank in labor's platform. In the closing weeks of the campaign, the unfair "pay envelope propaganda" was answered at labor rallies, by radio speeches and through the distribution of literature. The success of these efforts was counted at the polls in November.

Equally important, perhaps, was the educational consequence of these efforts. Thanks to these explanations and repeated endorsements of Federal Old Age Benefits and state unemployment compensation under the social security program, the members of organized labor were able to co-operate effectively with the Social Security Board in the registration of working people throughout Massachusetts. The results of that campaign showed Massachusetts workers foremost in the nation in complying with their registration for account numbers.

While at first many labor union officials believed that the exemption of "non-profit-making" establishments excluded them from coverage, the State Federation spread the correct interpretation of this provision as soon as the facts became known. We trust that every local which has officers receiving

compensation is aware of its duties as an "employer" under the federal and state laws.

During the winter and spring we continued to co-operate with the regional office of the Social Security Board in explaining the Social Security Act to our membership. We plan to continue this activity especially since lump sum payments on behalf of our members who become 65 or die are amounting to enough to be of importance. Also the approach of the date when unemployment compensation benefits become payable makes it essential that all our members know their rights and their duties under this program.

To this end we plan continued close co-operation with the Informational Service of the Social Security Board from whom we have had splendid assistance and co-operation in our efforts.

SHORTER WORK WEEK

Definite progress has been made during the past year toward the ultimate establishment of the 30-hour week to spread the number of jobs in industry.

Above all else, however, the fact stands out that legislation alone will provide no permanent solution of the problem, but that only through collective bargaining can the workers keep the gains which they obtained under such laws as the suspended NIRA.

Although few, Massachusetts workers have yet obtained a straight five-day week of six hours a day, a number of agreements have been signed during the past year reducing the number of hours.

The record in Massachusetts shows that those industries where labor was well organized managed to keep most of the gains established under the NIRA, but in the unorganized industries, the chiseling which began while the NIRA was still in force continued until recent organizing campaigns compelled the employers to modify their wage cuts and speed-up. In industries which enjoyed a 40-hour week under the NIRA, hours were stepped up in some extreme cases to 55 or 60 a week, and have only recently begun to drop again.

On the national scene, the American Federation of Labor has been fighting for re-introduction of legislation similar to the 1935 Black-Connery 30-hour bill. The President of the United States and the labor bloc in Congress during this session of Congress have been drawing up maximum-hour, minimum-wage plans to take the place of the labor provisions of the NIRA, just as the Wagner-Connery labor disputes measure, upheld by the United States Supreme Court, provided a substitute with teeth for the old collective bargaining section, section 7-A, of the NIRA.

Although it seems extremely doubtful whether the 30-hour week will be established by federal legislation this year, the ease with which labor organizations have obtained the 40-hour week, and, in some cases, even the 35-hour week in mass production industries, indicates that the time is not far off when the 35-hour week, and even the 30-hour week, will be an accomplished fact.

Continuing unemployment, the great speed-up accomplished by the introduction of new and bigger and faster machinery and labor-saving devices, and the elimination of human hands through improved methods of routing

and distribution, have made the shorter week imperative. In many industries, the amount of work accomplished by one worker has increased two-fold, three-fold, and even ten-fold since the beginning of the depression, resulting in lay-offs of men who were no longer needed to produce goods for which the demand has not increased in any such proportion.

The same forces which resisted labor's demand for an eight-hour day are at work, advancing the same old arguments against the six-hour day. Labor argues, and will one day prove, that the continuing problem of unemployment, which jeopardizes the very foundations of democratic freedom and government, can best be solved by increasing the standard of living and consuming ability of the working population of the country, and by reducing the length of the work day to spread employment.

THE LABOR INJUNCTION

In 1935 the Massachusetts Legislature passed a state anti-injunction law. This law is based on and is similar to the federal anti-injunction law, known as the Norris-LaGuardia Act. It effectively restricts the granting of labor injunctions, in that it prevents the granting of injunctions without hearings, the holding of a union or leader liable for acts of individuals unless clear authorization can be proved, the granting of any injunction unless the employer can show that he has made every attempt to settle, the granting of any injunction unless the employer has filed a bond, the granting of any injunction unless the employer can show that the police department is unable to cope with any disorder that there might be and the allowing of a jury trial for any one held in contempt for violation of an injunction.

At the time of its passage this law was attacked as unconstitutional. It was pointed out that a similar statute had been proposed in 1931 and that the Supreme Court in an advisory opinion had declared that such a law would be unconstitutional. A test was inevitable.

On February 27th, 1936, the Boston Joint Board of Cloak, Skirt and Dressmakers of the International Ladies' Garment Workers' Union, voted a general strike in the cotton garment industry in Boston. On February 29th, 1936, one employer, the Hubrite Informal Frocks, Inc., went into court to get an injunction against the union continuing the strike. The case was heard and injunctions refused because of non-compliance with the new statute.

The employer appealed to the Supreme Court on the grounds that the statute was unconstitutional. In May of 1936, the case was argued before the Supreme Judicial Court.

On June 30th, 1937, more than 13 months after the argument of the case, the Supreme Judicial Court handed down its opinion (see *Hubrite Informal Frocks, Inc. vs. Philip Kramer, et. als*). The Court upheld the union's contention that this was a moot question and it refused to pass on the constitutionality of the state Norris-LaGuardia Law. It refused to issue the injunctions. Although the court did not overrule its advisory opinion, it did say: "The duty of this court as of every other judicial tribunal is to decide actual controversies by a judgment which can be carried into effect, and not to give opinions upon moot questions or abstract propositions or to declare principles or rules of law which cannot affect the matter in issue in the case before it."

Regardless of ultimate decision as to constitutionality, the fact that the anti-injunction law is on the books is of tremendous value. With one or two unfortunate exceptions, there have been no major labor injunctions issued in Massachusetts since the law went into effect. The obstacles that the law throws into the path of an employer who seeks an injunction have made it so difficult for him that he has almost abandoned this unfair remedy.

The action of the Massachusetts Supreme Court on the anti-injunction law, has been and we hope will continue to be in line with the action of other courts throughout the country and especially the highest court in Washington, in reshaping the substance of labor law to meet the necessities of the 20th century. All of these recent decisions bear out the remarkable prophecy made quite a few years ago by Mr. Justice Cardozo when he wrote his book "The Nature of the Judicial Process" and said: "I think we may trace a like development in the attitude of the courts toward the activities of labor unions. The suspicion and even hostility of an earlier generation found reflection in judicial decision which a changing conception of social values had made it necessary to recast. Some remnants of the older point of view survive, but they are remnants only. The field is one where the law is yet in the making, or better, perhaps, in the remaking. We cannot doubt that its new form will bear an impress of social needs and values which are emerging even now to recognition and to power."

COMPANY UNIONS

The very existence of company unions is both a tribute and a challenge to legitimate unions. It is a tribute to the trade union movement that employers, fearing its independence and integrity, have tried to forestall the free organization of their employees by fostering the company union. If imitation is the most sincere compliment, we have reaped a harvest of such compliments. But such imitations can be and are an obstacle to the natural development of trade unionism. They are a challenge to legitimate unions which must fight for the progress in which even these puny creatures share. Company unions today rank with stool pigeons, strikebreakers, vigilantes and poison gas as the outstanding barriers to free and equal organization of employees for collective bargaining.

The statement "in union there is strength" applies only to legitimate labor unions independent of management in origin, control and financing. The company union ceases to be a company union when it acquires strength.

The use of company unions is a favorite device of some public utilities where the consumer pays the price of management concessions granted to company unions. Such concessions are advertised by company union officers as arguments against participation in legitimate labor unions. Such concessions might better be called bribes. They are paid by a management which fears to have its paternalistic dictation challenged by labor unionism, which serves the wage earner rather than the self-perpetuating corporation managements.

The enthusiasm of banker-controlled corporation officers for the company union is sufficiently damning evidence as to whose interests are served by company unions.

With empty treasuries and no outside support available, the only weapon which company unions possess is the blustering threat that their members might join an outside union unless some concessions are granted. The fact that this threat wins them concessions should in itself show their members the source of their real strength. It lies in the vigor and courage and independence of legitimate labor unions. They are strong only in ratio to our strength. If our movement wavered, theirs would collapse.

To organize employees of company union corporations is not easy. We face the vested interests of the company union leaders who so easily can curry favor with their employers by betraying the true interests of their members. Prestige and special privileges destroy their vision and make them incapable of knowing their own shoddiness.

In the long run the cheapness of company union dues will no longer blind their members. A nickel a month buys little protection of any sort, and such dues cannot long delude the workers who knows that he seldom gets any more than he pays for.

Our efforts must be intelligent, constant and consistent. We face the wiles of high priced "vice-presidents in charge of personnel" whose sole duty is to prevent us from getting a foothold. They have their systems of espionage, of subtle influence, of straw men. They use these company union officers for propaganda against our organizers.

In one New England corporation, "educational gas" was bought by a kindly management when company union officers expressed their fears of "outside agitators" who were seeking to substitute a labor union for their long pampered "employee representation" system. It seems to us that there is no better example of the depths to which manipulation and misrepresentation can descend than that type of betrayal of the wage earner by his company-dominated, self-constituted spokesmen.

The prospect is not discouraging, however, because wherever an organization exists, there is an existing agency which can be utilized to create legitimate labor unions. When managements begin to balk at the costs of their matching our gains, these company unions will see the light and be ready to join in the labor movement. It is our job to hasten the dawning of that day!

CIVIL LIBERTIES

Ever since the First Amendment was written into the Constitution of the United States, the working men and women of the country have been fighting to preserve the bill of rights. From time to time, as during the Palmer raids at the close of the world war, the bill of rights has been virtually suspended so far as labor was concerned, and freedom of press, speech and assembly were temporarily suppressed by so-called "patriots," whose real purpose was to prevent labor from obtaining a fair share of the profits of industry.

Today, as never before, the question of fundamental civil rights is coming to the fore in America, but this time labor finds itself in the company of educators, clergymen, liberals, and even of bankers and judges who feel some apprehension lest dictatorship of the right or left supplant the traditional freedom of the United States.

The Tories who hate the New Deal are making a great cry about "civil liberties" and are trying to turn that part of the Constitution which guarantees civil liberties to their own ends, in order that they may better block the march of labor in the United States.

Fortunately, they have found scant support in the present Congress and present occupant of the White House. Instead, the administration and the dominant bloc in Congress have created such agencies as the LaFollette Committee to investigate bona fide invasions of civil rights, and, for the first time, have given the man on the street a real picture of the activities of strike-breakers and strike-breaking agencies.

To be sure, there have been invasions of civil liberties in Massachusetts as well as the other states during the past year, but the whole picture has been rather hopeful. Such measures as the state's new "Baby Wagner" Law, and the Anti-Labor Spy Law, as well as the United States Supreme Court's favorable ruling on the National Labor Relations Act will go a long way toward guaranteeing human rights.

Some labor men profess to see no connection between the problems of labor and the fight of the labor movement to obtain repeal of the Teachers' Loyalty Oath Law during the past session of the Legislature.

Such persons evidently have not grasped the whole picture, and have not seen what a menace to the teachers' unions, and to others, such an invasion of the fundamental rights of freedom of inquiry might eventually mean. If the attack on the oath law accomplished nothing else, it showed thousands of citizens of our state that dictatorship does not march into the State House wearing a black shirt or a brown shirt, but steals in by more insidious methods, often in the disguise of "patriotism," and shouting loudly about the very liberty and freedom which it actually means to steal from all persons with whom it is in disagreement. Often its supporters are sincere patriots who do not realize what part they are playing.

To what extent our offensive against the oath law put illiberal forces on the defensive, and stopped them from offering other legislation designed to regiment the labor unions and curb the right of free speech, cannot be estimated here. All that can be said on that score, is to point out that the vicious parts of the Herter Bill, which might have been construed to prevent even the right of holding massmeetings and rallies for organization purposes, were defeated in a Legislature in which party lines were, for a moment, forgotten, and that labor helped to stop other laws which might have been used against us.

"Eternal vigilance is still the price of liberty" in Massachusetts, and labor will do well not to shrug its shoulders when any groups are denied their civil rights. It will be our turn next, if we adopt an attitude of indifference.

THE LABOR PRESS

Never in the history of the labor movement in the United States was there a greater need of a fearless, independent labor press than today. Working men and women who depend on the daily press for the facts about the industrial problems of the present are bound to find the facts have been sifted through the hands of editors who are neither experts on labor problems nor particularly friendly to the hopes and aspirations of labor.

In those cities where the daily press is controlled by open shop bankers and industrialists, the news is bound to be colored and distorted against both sides in the jurisdictional and other disputes which have slowed down the progress of organizing labor under the Wagner-Connery and other labor legislation adopted during the present period.

It is the duty of working men and women interested in the future of democratic society in the United States to give adequate support to the existing labor journals, in order that they may be prosperous enough to cover the news as fully as possible.

In Massachusetts there has been a labor press for many years ably run by Freeman Saltus, a member of the Worcester Typographical Union. These papers should be supported.

From time to time, abortive attempts have been made to establish local newspapers for laboring men in other cities, which, however, have lacked the guidance and direction which ought to come from co-operators and trade unionists themselves.

Above all, laboring men and women ought to choose among the daily press those journals which are reasonably fair in their reporting of labor news, and to give them and their advertisers preference over that part of the daily press which is striving daily to poison the minds of the public against trade unions.

The need of time on the radio and printing presses to explain the hopes and aspiration of the majority of Americans who labor with hands and brains was never more acutely felt than in this period in which is being decided whether human or corporate welfare shall prevail.

INTERSTATE COMPACTS

Our last statement regarding the work of this Commission covered the period from May 17, 1935 to and including June 9, 1936. At that time the prospects of interstate agreements in the field of labor and industries had suffered a severe blow by the decision of the United States Supreme Court invalidating the New York State Minimum Wage Law. One effect of this decision was to nullify, for the time being, the Interstate Compact on the Minimum Wage, since it was reasonably clear that the State could not do collectively, in fixing minimum wage standards, what they lacked power to do individually. The resolution giving the consent of Congress to the compact, which was pending in the Senate after having passed in the House, was abandoned, and efforts to secure the signatures of delegates from additional States were dropped. At the time of the decision, signatures of delegates representing Illinois and Ohio had been obtained, and a duplicate of the original compact had been sent to New Jersey for action by the Commission on Interstate Co-operation of that State. An analysis of the court decision in the New York case was undertaken, and previous decisions on the same and related subjects were reviewed in detail. The results of this study are presented in the Commission's Fifth Report (House No. 1601, Session of 1937) pages 28-37.

The Commission recommended the adoption by the General Court of resolutions memorializing the Congress for the enactment of federal legislation to protect against unfair competition the States that have high legal

standards for labor and working conditions. The basis of these resolutions was decisions by the United State Supreme Court, upholding the validity of state and federal legislation regulating the sale and interstate transportation of prison-made merchandise. These resolutions were adopted by both branches of the General Court and copies sent to the Massachusetts delegation in Congress and to the Governors of all the 48 States.

On March 29, 1937, the Supreme Court, in a case involving the validity of the mandatory minimum wage law of the State of Washington, practically reversed its stand on the New York Minimum Wage Law, and held the more drastic Washington state law to be valid. At the same time, the Adkins case on the District of Columbia minimum wage law, decided in 1923, which had been cited as the principal precedent for the decision in the New York case, was expressly overruled. Immediately steps were taken to revise and re-enact the Massachusetts Minimum Wage Law in conformity with the decision.

The interstate compact movement is entitled to a part, at least, of the credit due for reduction of working hours by law and other advances made in labor legislation in four of our neighboring States during the last two or three years. Following the lead of Connecticut, which acted in 1935, New Hampshire, Rhode Island and Vermont have all reduced the legal working hours of women and minors by action in 1936 or 1937. From a 10-hour day and a 55-hour week, Connecticut has adopted a 9-hour day and 48-hour week as standard; Rhode Island has changed from a 10-hour day and 54-hour week to a 9-hour day and 48-hour week; New Hampshire from 10¼-hour day and 54-hour week to a 10-hour day and 48-hour week; Vermont from a 10½-hour day and 56-hour week to a 9-hour day and 50-hour week. All these States have materially strengthened their protective labor legislation in other respects, since the beginning of their 1935 legislative sessions. Maine alone in New England has hardly improved its labor legislation in recent years.

It may be noted that the movement for advances in labor legislation has not been confined to the Northeastern states. Several of the Southern States, including Arkansas, Georgia, Louisiana and Mississippi have recently established Departments of Labor with comprehensive powers, thus providing an official center for efforts to improve working conditions. A bill to strengthen and centralize the administration of labor laws was adopted in March of this year in Indiana. North Carolina has a new child labor law raising the school age to 16, prohibiting factory employment below that age, restricting hours, and prohibiting night work for minors under 18. The same State has enacted a 48-hour law for women, with a 9-hour day and a 6-day week; the same law limits the working time of men, although it is subject to exceptions and exemptions that weaken it considerably. Oklahoma has adopted a minimum wage law that applies to men as well as women. At last reports, bills limiting hours and greatly restricting child labor had good prospects of adoption in South Carolina.

SCHOOLS — WORKERS' EDUCATION

The Massachusetts Federation of Labor, like many other State Federations of Labor, has in the past and will in the future endorse and support workers' education. In fact we, in this State, have given more support and

have manifested more interest in the subject than have most State Federations. At this time, however, we feel compelled to make some rather critical observations.

During the past year there appears to have developed an impasse in the orderly progress of workers' education where the services of a central bureau have been discontinued and in its stead we have unsatisfactory Federal and State programs. A few city projects were in existence. Now State and Federal legislation has been passed, and declared constitutional, which should have been of primary interest to the organized workers in an educational way. However, there existed no agency to quickly and efficiently disseminate the necessary information regarding the Labor Relations Act and similar legislation. And today in Massachusetts, when working people are desperately in need of information and assistance in their newly granted rights and obligations, there exists no agency which can properly school younger unionists and union officials in the business of running unions.

All of this is of deep concern to your State Federation of Labor and we have neither time, money, plant nor equipment to serve our entire membership as we feel we should serve in the matter of workers' education.

We intend, however, to continue our interest in this subject and we will co-operate with any agency for the furtherance of workers' education which is in conformity with our policy and is under trade union control. But, until such an agency exists the State Federation of Labor will not be doing all it would like to do for the workers of Massachusetts. We are aware that the most important issue that confronts our local unions is probably not workers' education at this time, yet, after the emotions have been cooled in regard to inter-union competition and newly recognized rights, the ability to function as a responsible trade union, to continue in a businesslike manner, to become a going concern, and to educate the members whom we represent will be of much concern to our officers and members alike. When this time comes the Massachusetts State Federation of Labor will co-operate with any local union desiring to further its understanding of people and things as they relate to the labor movement.

AFFILIATIONS

During the past year unions affiliated with the Federation have increased in numbers over the previous year. All new affiliations are appended to this report.

Several campaigns have been conducted during the year in an effort to increase the number of organizations within the Federation. Communications have been sent to unattached local unions and officers have appeared before unions for the purpose of outlining the value of being affiliated. Your Vice-Presidents have made special efforts within their respective districts to enlighten unions as to the work and functions of the Federation and in many instances uninformed unions have applied for affiliation.

Recently national and international union officials met at Cincinnati to discuss problems of great importance to the American labor movement. Among the many matters agreed upon was one to have all local unions attached to national or international unions affiliate with State Federations of Labor. No doubt these officials of parent organizations who were in at-

tendance at Cincinnati will, if they have not already done so, notify local unions of this important action. However, affiliating all local unions in Massachusetts with the Massachusetts State Federation of Labor should not be entirely dependent upon communications from parent bodies. Delegates, members and friends might well assist in this important campaign by taking it upon themselves to urge local unions within their areas to join the Federation.

Again this year the records show that some unions have neglected to pay per capita; a few have been suspended because of delinquency. With reluctance this matter is called to the attention of the delegates, especially in view of the fact that our per capita tax is so low. Although the number of delinquent unions are few, it has been the hope of your officers to have such unions recognize their obligations in regard to payment of per capita to the Federation, as they do their obligations to their respective parent organizations.

Hundreds of unions in Massachusetts have recognized the splendid work carried on by the Massachusetts State Federation of Labor. These unions have made our position increasingly stronger each year by adding to their number. There still remain, however, many unions that seem to adopt an attitude of being willing to share in the benefits of having a powerful state organization but are unwilling to become a part of it by affiliating.

If ever there were a time when every union should be attached to a state organization, it is now. With laws of benefit to wage earners being enacted annually, entirely through the efforts of the Massachusetts State Federation of Labor, all unions should consolidate their forces and make this organization their means of obtaining satisfactory law enforcement.

Delegates and members are again respectfully urged to assist your officers for the ensuing year to increase the number of affiliated unions and contribute in this way to making the Federation greater and stronger. The Massachusetts State Federation of Labor now enjoys the position of being one of the largest and strongest State Federations in the nation. It could be the leading State Federation, but this is dependent, in part, at least, upon the support given by those in a position to assist in the campaign to affiliate the unaffiliated. The new affiliations are:

DISTRICT I.

Newspaper Guild, Boston
Retail Store Employees No. 796, Boston
Painters No. 577, Cambridge
Pavers and Rammermen No. 39, Boston
Quarry Workers No. 47, Quincy
Machinists No. 301, Boston
Produce Handlers No. 20307, Charlestown
Tunnel Guards, Government Employees No. 1116, Boston
Sleeping Car Porters No. 18097, Boston
Oil Field Workers No. 366, East Braintree
Molders No. 106, Boston
Cooks and Pastry Workers No. 186, Boston
Musicians No. 343, Norwood

Hotel Service Employees No. 447, Boston
Steamship Clerks 824, Boston
Wool Handlers No. 1454, Boston
Federal Labor Union No. 20476, Boston
Steamship Clerks No. 1066, Boston
Steamship Clerks No. 143, Boston
Bakery Drivers No. 494, Boston
Taxicab Drivers & Chauffeurs No. 496, Boston
Coal Yard Employees and Trimmers of Ships No. 1455, Boston
Federal Labor Union No. 20599, Boston
Federal Labor Union No. 20637, Cambridge
Federal Labor Union 20638, Roxbury
Federal Labor Union No. 20567, Malden
Federal Labor Union No. 20597, Charlestown
Teamsters & Chauffeurs No. 653, Brockton
Federal Labor Union No. 20639, Boston
United Brick & Clay Workers No. 572, Boston
Office Equipment Service Workers No. 1373, Boston
Federal Labor Union No. 20780, Somerville
Bakery & Confectionery Workers No. 348, Cambridge
Extract Makers, Boston
Gypsum Federal Labor Union, Boston
Ushers Union No. B-4, Boston
Window Display Union No. 159, Boston
Cafeteria & Lunch Room Employees Union No. 480, Boston
Longshoremen No. 1448, Boston
Federal Labor Union No. 20701, Boston
Plate Glass Workers, Boston

DISTRICT II

Pulp Workers No. 177, New Bedford
Carpenters No. 1305, Fall River
United Hatters No. 29, Fall River
Bartenders No. 99, Fall River
Longshoremen No. 1413, New Bedford
Brewery Workers No. 137, Fall River
Teamsters & Chauffeurs No. 59, New Bedford
Federal Labor Union No. 20744, New Bedford

DISTRICT III

Electrical Workers No. B-1015, Lowell
Federation of Teachers No. 439, Lynn
United Textile Workers No. 1715, Lawrence
Laborers No. 323, Haverhill
Rubber Workers No. 52, Framingham
Musicians No. 378, Newburyport
Bakery & Confectionery Workers No. 182, Lynn
Bakery Drivers No. 686, Lawrence

DISTRICT IV

Iron Workers No. 57, Worcester
Machinists No. 1441, Worcester
Carpenters No. 720, Worcester
Brewery Workers No. 136, Worcester
Auto Mechanics No. 1514, Worcester
United Textile Workers No. 1917, Franklin
Painters No. 561, Marlboro
Musicians No. 173, Fitchburg
Machinists No. 339, Worcester
Typographical Union No. 623, Fitchburg
Building Laborers No. 243, Worcester
Musicians No. 246, Marlboro

DISTRICT V

Molders No. 381, Springfield
Painters No. 771, Gardner
Hotel and Restaurant Employees No. 301, Greenfield
Hotel and Restaurant Employees No. 275, Gardner
Building Laborers No. 473, Pittsfield
Federation of Teachers No. 470, Mt. Hermon
Federation of Musicians No. 220, Northampton
Federal Labor Union No. 20332, Chicopee
Bicycle Workers No. 20291, Westfield
Federal Labor Union No. 20582, Springfield
Federal Labor Union No. 20592, Springfield
Carpenters No. 1218, Westfield
Stage Employees No. B-84, Springfield
Carpenters No. 1953, Springfield
Federal Labor Union No. 20681, Springfield
Federal Labor Union No. 20756, Springfield
Metal Polishers No. 80, Westfield
Laundry Workers No. 77, Westfield

REGIONAL CONFERENCES

In accordance with the established policy, conferences were conducted by your vice-presidents in each of the regional districts during the past year. Gatherings of delegates in almost every district conference were larger than in previous years, indicating to your officers a keen interest on the part of Massachusetts trade unionists in matters concerning themselves and wage earners generally.

After the Federation's legislative program was outlined and other important matters were discussed by your officers and guest speakers, lively discussions ensued. Most popularly discussed subjects seemed to be the Child Labor Amendment, State Fund Bill, Baby Wagner Act, Labor Spy Bill, Social Security Act and all its various features, and President Roosevelt's proposal to increase the United States Supreme Court.

Besides your officers who were in attendance at all conferences, representatives of the Social Security Board and the Massachusetts Council of Teachers' Unions attended and addressed several of the meetings.

The policy of the Federation has been to encourage non-affiliated unions to send delegates to these conferences and participate in the discussions, if they so desire. We know of no better way to prove to those unions that see fit to remain outside this state organization how valuable such an organization is to wage earners of Massachusetts.

Regional conferences are recognized as being one of the best methods of discussing with our members the problems confronting our Federation. Your officers wish to encourage officers and members of Central Labor Unions and local unions to make these occasions greater by making plans to have their organizations well represented at next year's conferences.

The Executive Council deeply appreciates the co-operation of Central Labor Unions throughout Massachusetts so generously extended to make these conferences successful.

Conferences were held:

February	28	at Springfield
March	7	at Fall River
March	14	at Worcester
March	21	at Salem
April	2	at Boston
April	11	at Brockton

UNION LABEL

"Every dollar spent by union labor for union goods is money in your own pocket. Think of that!"

The workers are fast beginning to understand the great social and economic value inherent in the union label. The increasing agitation and resultant demand for union label products are evidences of the great social and commercial values of their purchasing power, when organized in a systematic and organized fashion. The union label movement has not been the first attempt to organize the purchasing power of labor. Numerous attempts and many experiments have been made in this direction in the past. Co-operative movements, consumers' leagues and associated efforts of a like nature have been primarily inspired by the desire to socialize and commercialize the purchasing power of the workers.

Unfortunately, whenever such associated activities reached any degree of success, the power and influence of these institutions many times were perverted into instruments of oppression and suppression of the workers as producers. Instead of co-operating with the economic organizations of the workers, very often these co-operative energies responded solely to a spirit of commercialism and to the suppression of a feeling and desire to socialize industrial pursuits.

In its ultimate attainment the union label movement comprehends complete harmony and unity of the hopes and aspirations of the workers as producers and as consumers. This movement responds to the possibility of uniting and co-ordinating all the attributes of labor into one comprehensive effort

directed to democratize all industries and to ultimately establish a just, fair and rightful condition of life and work for all.

For years trade unions have responded in one form or another to this ideal of directing the purchasing power of labor so as to strengthen the power of the workers as producers whenever representations for improved working conditions were to be made on employers. Usually these activities were expressed in the form of a boycott or the fair list.

While these weapons have proved helpful, experience has also demonstrated their limitations and disadvantages. While the exhortations of trade unionists to their friends and sympathizers to purchase only union label goods and articles may not have proved so immediately responsible or as vital in its immediate effect upon any one particular firm or person as has the admonition not to purchase the goods of a particular firm being boycotted, it is true nevertheless that the response to the former appeal has been by far more comprehensive and lasting in its beneficial result. The boycott and the fair list are individual in character and their application spasmodic in nature, subject to ill feeling, strife and friction.

On the other hand, the union label is by far more comprehensive in character and is permanent in its nature, minus all elements of strife and friction. It is not urged that trade unions should dispense with the weapons of the boycott and the fair list. It is urged that the importance of the trade union label activity cannot be overlooked.

The union label unquestionably excels in that it inspires unity and federation, stimulates education, emphasizes skill and superior workmanship, promotes trades and defies unscrupulous competition, teaches the primal obligation of labor to a common cause, while steadily winning its way into the hearts of the masses as a symbol of human justice and human freedom. It is for the attainment of these lofty ideals, these humane accomplishments, that this emblem of trade unionism has been adopted. Mindful of the latent and potential powers for good inherent in the trade union movement let all unite in this appeal and enlist in this noble cause for the uplift of the worker. Let all point in this march forward, onward and upward under this great banner of fraternity and brotherhood, the emblem of humanity and the symbol of the hopes and aspirations of the workers for a better life and a greater and more humane civilization.

HOUSING

Real progress has been made in the field of public participation in housing. The American Federation of Labor is taking a real interest and is actively engaged at Washington in the promotion of legislation for a long-range Federal housing program.

Since 1935 the Federal Government has appropriated approximately \$130,000,000 for the building of 51 experimental housing projects in 36 cities. Many of these are now occupied and rents have been announced on several about to be opened.

Massachusetts' share in this program was a liberal one. Seven per cent of the entire appropriation, or approximately \$9,000,000 was given to the two projects in Boston and Cambridge.

In Boston "Old Harbor Village", so-called, is being constructed at a total cost of \$6,007,514.00, and in Cambridge "New Towne Court" is under construction at a cost of \$2,219,300.00.

In addition to the above named projects the Massachusetts State Board of Housing has promoted a project at Chicopee Falls, Mass., for the rehabilitation of a group of mill houses. This project is unique in that it is the first and the largest of its kind in the country and when completed it is hoped that it will demonstrate the possibilities for similar work throughout the state. A limited dividend corporation was formed to build, operate and manage these houses. One member of this corporation, named by the State Board of Housing, is a member of organized labor. The existing houses were contributed by the Chicopee Manufacturing Corporation. There are 186 apartments in the group with a total of 798 rooms. The average rental will be \$4.00 per room per month without heat.

The primary purpose of subsidized housing is to provide decent living accommodations to that income group which private enterprise has never found profitable to properly house. This must be done at a rent which they can afford to pay. Anything which tends to increase rents immediately puts this housing into the competitive class with private properties. Since subsidized housing is built for a public purpose, and the ability to pay is a sound principle of taxation, it is felt that tax exemption on low-rent housing projects is both wise and warranted.

The normal tax, if levied, would increase rents \$3.00 to \$5.00 per room per month.

A service charge should be made by the city in lieu of taxes and in many cases this would provide more revenue than is now received in taxes from the same area. It should be borne in mind that those sub-standard areas in which it is proposed to build new housing are at the present time social and economic burdens to the communities. For example, a survey conducted by the State Board of Housing in an area in the city of Boston shows that while the income in one year was \$27,093.23, the cost to the city for maintaining this section was \$265,566.74, or \$238,473.51 over and above the income.

Similar studies have been made in Cambridge, Chelsea, Fall River, Lowell and Springfield, all of which show similar results and demonstrate why the cities and towns should contribute in some way toward the clearing or rehousing of these sub-standard areas. To redevelop these areas would automatically reduce certain items of expense such as police, fire and health, and even with tax exemption the city would benefit not only socially but economically as well.

REPORT OF COMMITTEE ON TAXATION

Adam Smith in his book entitled "Wealth of Nations" in 1776 said, "All taxes should be based on ability to pay." All through these 161 years organized wealth with its experts has tried, but without success, to disprove this fact. However, it is able to protect its own selfish interests by the continued employment of experts and the power of money, and to defeat the principles established in the famous book referred to above, at the expense, at least in part, of those who have not the ability to pay.

The workers in Massachusetts can be reasonably sure that we are going to have legislation adopted, materially changing our present tax law. By the indifference displayed to this problem by the delegates to past conventions, we are of the opinion that labor is going to bear an unfair burden of taxes unless we are on the job. Experts in the employ of organized wealth are hastening to convince the public that the reason for high taxes is that the wage earners are the principle beneficiaries of the ever-mounting governmental expense that comes from taxes.

We should be forewarned and fore-armed. The wage earner is not benefited a great deal when he receives his increase in salary; he wakes up and finds that it is taken away from him, partially at least, by the process of indirect taxes, otherwise known as "hidden" taxes. Our rent-paying wage earners are not conscious enough of the fact that they are paying taxes in the guise of rent which average from \$1.00 to \$3.50 per room per month. As bad as this may seem, they are in a worse plight if they happen to have an equity in a home. They pay taxes on the money raised by mortgage as well as on their own equity.

Under the laws of this commonwealth, a city can foreclose, at the expiration of one year's tax delinquency. Everyone possessing a family should own a home if the community is to be prosperous and the inhabitants thereof reasonably contented and happy. Having in mind that home ownership contributes much to good citizenship, which is so essential to our country, tax laws should be framed so far as possible, in such a way as to make a home attractive and a reasonably safe investment. In the past such laws have been framed and administered in the opposite direction, so that even today a home is too often a liability instead of an asset. This has already resulted in the abandonment of homes. More than this, real estate mortgages, including those held by savings banks investing the earnings of the comparatively poor, are becoming less and less secure. Nothing probably could be so vicious and discouraging than the present system of imposing excessive taxes on the poor home owner. While the large real estate owners are feeling the effect, he has, nevertheless, the wherewithal to bring his case to the Tax Appeal Board and get relief. In the final analysis he does not suffer to the extent that the small home owner does.

So, we respectfully recommend to this convention that it make adequate provisions for dealing with this all-important subject and create machinery to deal with it in the future.

Respectfully submitted,

JOHN CARROLL, Chairman, Cement Finishers No. 534, Boston

CHARLES B. CAMPFIELD, Machinists No. 264, Boston

SYLVESTER J. McBRIDE, Typographical No. 13, Boston

DANIEL J. McCARTHY, Plumbers No. 89, Springfield

REPORT OF COMMITTEE ON TAX EXEMPTION OF PERSONAL PROPERTY

At the fifty-first annual convention of the Massachusetts State Federation of Labor held at New Bedford, the following resolution was referred to the Executive Council with instructions to report to the next convention, the Council in turn referring same to a committee to report to the convention:

RESOLUTION NO. 3

"TAX EXEMPTION OF PERSONAL PROPERTY"

WHEREAS, There is increasing tendency on the part of government, both state and federal, to recognize the necessity and value of self-organized and independent trade unions as the creators and protectors of better standards of living, and as champions and sources of humane ideals; and

WHEREAS, Government, in its own operations and activities, to wit — in building construction, purchasing and personnel policies seeks to maintain the high standards of wages and other conditions of labor achieved by organized Labor, and thus to assure a better community ethic and culture; and

WHEREAS, Organized labor is loathe to believe that there exists any lag between such governmental policies and activities and the policies and activities of the depositaries and exemplifiers of the organized moral conscience of our community now enjoying tax exemption, to wit, educational, religious and other charitable organizations; therefore, be it

RESOLVED, That the Massachusetts State Federation of Labor file with the incoming Legislature a bill continuing tax exemption of personal property of such organizations only if their funds invested in securities be invested in securities of companies not violating obligations identical to those set forth in Section 7 and related sections of the Wagner Labor Relations Act, so-called; and be it further

RESOLVED, That the Massachusetts State Federation of Labor invite and enlist the co-operation of such organizations jointly to sponsor with the Massachusetts Federation of Labor legislation in pursuance of this resolve.

The committee agrees with the theory and contentions contained in the resolution. It is eminently fair that any organization that enjoys immunity of taxation by the state government should be compelled to co-operate with its policies as set forth in the Wagner Labor Relations Act and not invest its funds in securities with companies that violate these policies.

The committee is, however, of the opinion that the adjudication of this matter is in the sphere of taxation and believes that in view of the fact that the State Federation of Labor has now functioning an able and competent committee on taxation that this entire matter should be referred to that body and seek support of other groups, both civic and fraternal, who uphold the contentions so outlined in the resolution. The committee so recommends.

Respectfully submitted,

J. ARTHUR MORIARTY, Chairman, Typographical Union
No. 13, Boston

MATTHEW P. MANEY, Lawrence

MICHAEL FLAHERTY, Painters No. 11, Boston

HERMAN KOSTER, Central Labor Union, Cambridge

GARRETT CONNOLLY, Firemen No. 3, Boston

REPORT OF THE COMMITTEE ON SAVINGS BANK LIFE INSURANCE

In the last year for which the report of the Commissioner of Insurance is published, Massachusetts wage-earners paid \$49,638,992. for weekly premium "collector" life insurance, which is by far the most expensive form of life insurance protection. These policies have no cash values until five or more years, and never loan values. Thousands of families during the depression found it impossible to continue paying premiums and in many cases were unable to get back any part of the money they had paid.

The high cost and waste of weekly "collector" life insurance and the losses suffered through lapsed policies are a serious drain on the wage-earners. It is reducing the standard of living of every family in the community, and is reducing the purchasing power available for other things needed and wanted. Wage-earners are being exploited by these weekly premium companies and hindered in their efforts to provide protection for their families and security for themselves. In Massachusetts this is not necessary.

Thirty years ago — in June, 1907, the Commonwealth of Massachusetts recognized the need for low cost life insurance and created the Savings Bank Life Insurance System, which operates without agents or house-to-house collectors. It is now the cheapest and best life insurance available to Massachusetts people. Organized labor is proud that it took an active part in support of the bill, which was drawn up by the Honorable Louis D. Brandeis, now an Associate Justice of the United States Supreme Court, and that since then it has continuously endorsed and supported Savings Bank Life Insurance.

At the 50th Annual Convention of the Massachusetts State Federation of Labor held in Springfield in August, 1935, a committee on Savings Bank Life Insurance was created for the purpose of "co-operating with the State Division of Savings Bank Life Insurance in bringing the advantages and benefits of Savings Bank Life Insurance to the attention of all members of the Massachusetts State Federation of Labor." Last year, the convention voted to continue this committee on Savings Bank Life Insurance as a "standing committee of the Massachusetts State Federation of Labor with authority in the President to add to the committee and to fill such vacancies as may occur so that further progress may continue to be made in bringing the advantages of this system to the attention of our members."

During the past year, speakers from the State Division of Savings Bank Life Insurance have appeared before the following groups. At these meetings literature was distributed and many questions were asked and answered.

1936

- June 6 — United Textile Workers, Franklin
- June 9 — Textile Workers Local 3432, Worcester
- June 12 — Textile Workers Local 2420, Worcester
- July 10 — Carpenters Local No. 28, Worcester
- July 14 — Bricklayers, Masons & Plasterers No. 6, Worcester
- Aug. 13 — Plumbers No. 4, Worcester
- Aug. 21 — Taunton Silver Workers
- Sept. 1 — Motion Picture Operators, Lawrence
- Oct. 22 — Machinists Local, Boston
- Oct. 28 — Worcester Central Labor Union

- Nov. 5 — International Hod Carriers Local 609, Framingham
Nov. 6 — International Hod Carriers Local 223, Boston

1937

- March 4 — Fall River Central Labor Union
March 5 — Boston Central Labor Union
March 7 — Springfield Central Labor Union
March 8 — Cambridge Central Labor Union
March 14 — Holyoke Central Labor Union
March 17 — Fitchburg Central Labor Union
May 6 — Lawrence Central Labor Union
May 9 — Lynn Central Labor Union
May 20 — Lowell Central Labor Union

Your committee is glad to report that Savings Bank Life Insurance has made rapid progress during the past year and that more policies were written than ever before. Through the medium of public addresses, such as the above, radio broadcasting, word-of-mouth advertising from satisfied policyholders, and the widespread distribution of literature by the savings banks, organized labor, credit unions and others, the benefits of this splendid form of insurance are being brought to the attention of an increasing number of people.

Your committee urges every local to communicate with the Division of Savings Bank Life Insurance, State House, Boston, and secure literature for distribution to its members and to make arrangements for a speaker on this subject. Only Massachusetts workers have this chance. Insurance company opposition has prevented the establishing of Savings Bank Life Insurance in other states but we have it here and we believe it to be of vital importance that every Massachusetts wage-earner be informed of the low cost and benefits of this unique Massachusetts system of Savings Bank Life Insurance.

Respectfully submitted,

HAROLD U. FAULKNER, Federation of Teachers No. 230,
Northampton

SILAS N. LAPHAM, Barbers No. 385, Salem

CHARLES W. SHORT, Barbers No. 30, Springfield

HARRY HOGAN, Carpenters No. 177, Springfield

B. P. WINCHESTER, Carpenters No. 885, Woburn

FRED PESSINI, United Rubber Workers No. 18363, Springfield

WILLIAM J. SMALL, Gas and Coke Employees No. 18538,
North Randolph

EDWARD F. DOOLAN, United Textile Workers No. 24,
Fall River

THOMAS CHAPMAN, Barbers No. 284, Fitchburg

ARTHUR J. KING, Machinists No. 481, Greenfield

EDWARD M. FOLEY, Moving Picture Operators No. 397,
Haverhill

ABRAHAM PEARLSTEIN, News Wagon Drivers No. 259,
Roxbury

CHRISTOPHER LANE, Hotel and Restaurant Employees
No. 34, Boston

JOHN DAILLY, Bricklayers No. 3, Dorchester

BERNARD F. SMITH, Boot & Shoe Workers No. 38, Brockton
 KATHERINE GREENE, Federation of Teachers No. 195,
 Cambridge
 ROBERT E. MEEHAN, Machinists No. 634, Charlestown
 ADAM KURTZ, Carpenters No. 1372, Northampton
 ARTHUR H. GREEN, Painters No. 563, Framingham
 EARL H. PALK, Plumbers No. 482, Gloucester
 ARTHUR A. ELLIOTT, Moving Picture Operators No. 425,
 Pittsfield
 COSTANZO PAGNANO, Granite Cutters, Quincy
 JOHN WADE, Typographical No. 51, Lawrence
 EDWARD C. ENO, Lowell Central Labor Union
 WILLIAM H. DAVIS, Teamsters No. 42, Lynn
 HERBERT SEVERS, United Textile Workers No. 36, New
 Bedford
 JOHN F. REARDON, Boot & Shoe Workers No. 40, Milford
 ARLINGTON W. MORAN, Bartenders No. 125, North Adams
 CHARLES H. CROWLEY, Firemen No. 3, Roxbury

REPORT OF COMMITTEE ON POWER

The Committee on Power attempted three meetings this past year and would have attempted many more were it not for the fact that some local unions, most deeply concerned in the power industry, failed to join with other power industry unions in the bringing about of any particular program.

A Power Committee is a necessary function of the State Federation of Labor and will continue to be necessary regardless of the apathy upon the part of any craft that does not see fit at this time to join with other crafts in the promotion of such a committee.

Therefore, as chairman of the Power Committee we report no hits, no runs, no errors for the year 1936-1937 but most definitely recommend that the Power Committee be a continuing one for the Massachusetts State Federation of Labor and further recommend that the Executive Council continue its interest in the whole question of power and public utilities and be prepared at any future date to call together representative unions connected with the public utility industry to discuss the questions of organization, trade union policy, public utility rights, and public utility ownership. Then, should occasion arise, the President and Secretary of the State Federation of Labor should be empowered to proceed with any program which meets with the approval of the Executive Council.

Respectfully submitted,

NICHOLAS P. MORRISSEY, Chairman
 HARRY A. RUSSELL, Engineers, 849
 CHARLES B. CAMPFIELD, Machinists, 264
 HERMAN KOSTER, Firemen and Oilers, 3
 CHARLES D. KEAVENEY, Electrical Workers, 622
 FRANK J. SMITH, Electrical Workers, 104
 MYLES CONNERS, Gas Distribution Workers, 15268
 MICHAEL J. WALSH, Street Carmen, 589
 ROBERT STRACHAN, Gas and Coke Workers, 18538

REPORT OF THE COMMITTEE ON RESOLUTION NO. 15 (1936).

At the 51st annual convention of the State Federation of Labor held at New Bedford in August, 1936 the delegates, in acting upon Resolution No. 15, which resolution referred to the difficulties of the Wire Weavers Protective Association of America, Eastern Division of Holyoke and the Holyoke Wire Cloth Company, referred this resolution to the incoming Executive Council with instructions to make every effort to assist this local union.

This committee immediately endeavored to interview the officials of the Holyoke Wire Cloth Company, but without any success whatever. This concern was very antagonistic towards the "locked out" employees and would not even agree to talk the matter over with us, only to hurl verbal accusations as to the extent of the damages to their business and further stated that not one of the former employees could ever enter the plant again.

I explained that this committee represented the State Federation of Labor comprising a membership of thousands of workers and that we wanted to bring about a settlement of their differences. However, nothing we could say influenced this very antagonistic employer.

Therefore, the committee recommends that because of the defiant and arrogant attitude of the Holyoke Wire Cloth Company that all local unions of the State Federation of Labor be asked to assist in any way possible the Wire Weavers Protective Association, Eastern Division of Holyoke, Mass. We further recommend that all paper mills and agencies using wire cloth be notified of the non-union attitude of this employer and to place their orders for wire cloth with concerns who believe in recognizing the rights of their employees.

Respectfully submitted,

CHARLES E. CAFFREY,
Electrical Workers No. 7, Springfield
FRANCIS M. CURRAN,
Firemen and Oilers No. 4, Holyoke
ALBERT J. JEFFERSON,
American Wire Weavers, Holyoke



PRESIDENT'S REPORT

In compliance with the constitutional mandates of the Massachusetts State Federation of Labor, I set forth herein the record of progress which we have made during the past year.

It is with a deep feeling of pride that I am able to say, in spite of the turmoil, strife and dissention existing in the labor movement in various parts of the country, that here in Massachusetts, we have kept our feet on the ground, our eyes on the ball, and have forged steadily and consistently forward to newer heights and greater successes than we have ever attained before.

Numerically, financially and in terms of industrial and political good standing, we are positively at the highest peak ever reached in the long history of our organization in this Commonwealth.

With this great news released to the delegates, I shall proceed to support these declarations with factual evidence arranged in orderly sequence and supplemented by the reports of the other members of our official family.

Early in September, following the convention, I convened the new Executive Council. After outlining to them their duties and responsibilities, and the expectations we had for their term of office, I proceeded to appoint the committees authorized, and to explore and carry out the recommendations and mandates made to the Council by the convention.

Committees so chosen were: Committee on Taxation, Committee on Power, Committee on Education, Committee on Savings Bank Life Insurance and Committee on Union Label.

Also, the numerous resolutions referred to the Executive Council were considered and in turn referred to sub-committees for appropriate study and action.

The matter of the appointment of an Assistant Secretary-Legislative Agent, was disposed of by the nomination and unanimous election of the very capable Kenneth I. Taylor. It was arranged that Secretary Treasurer-Legislative Agent Watt should represent our Federation at the annual conventions of the Vermont and New Hampshire State Federations of Labor, as it is our purpose to maintain close contact and complete co-operation between the state federations of the New England states.

Once more we were able to secure the services of the talented Attorney Samuel B. Horovitz to act for and advise us on our Workmen's Compensation Bill and let me say that the services of this highly-skilled and generous-spirited authority were given to us for the sum of one dollar per year.

As the next session of the Executive Council was held in October, nearly the entire session was devoted to the various political campaigns which were then being waged prior to the elections in early November. The entire Council pledged its utmost efforts to ensure the re-election of President Roosevelt, and to work for the political success of those who had supported Labor's program in both state and nation.

In an adverse ratio, it was likewise planned to oppose those senators and representatives who had actively engaged in defeating Labor's program. In this connection, let me say that we had the extreme gratification of defeat-

ing a State Senator in Western Massachusetts in a district strongly partial to his political faith and supplanting him with a member from the opposite party — incidentally, this new Senator enjoys one of the few one hundred per cent labor records in the State Senate — Hail to Senator Skibinski of Chicopee.

During this hectic period, I had the pleasure of touring Massachusetts with a big sound truck devoted to the campaign of President Roosevelt and from early morning until midnight, and after, I showed talking moving pictures and made microphone appeals before factories and in public squares throughout the Commonwealth. In this campaign, I also had the pleasure of spending a few days in the respective territories of Congressmen Billy Connelly and Arthur Healey. In summation of this campaign, I wish to say that Labor's participation was sound, substantial and largely successful. Every member of the Executive Council is deserving of great credit for his wholehearted support in this campaign.

During the period following the elections, the entire efforts of the Executive Council were devoted to preparing the bills selecting the sponsors for presentation of our legislative program to the Great and General Court. A recital of the legislation introduced and its progress through the legislative mill is capably handled by Legislative Agent Taylor, and therefore, I will only touch on high-lights of that program.

In view of the importance of our Workmen's Compensation Bill, with its State Fund provisions, I felt that extraordinary efforts should be made in its behalf, and therefore secured the consent of the Executive Council to print copies of this bill and mailed them throughout the state to labor leaders and liberal social-minded personages of influence and standing.

As usual, the insurance lobby carried too many guns for us to overcome, and the bill was defeated without a roll call in the House of Representatives, but in the Senate, thanks to Senator James P. Meehan, the measure was nearly substituted for an adverse committee report. A roll call vote was secured in that branch, however, mainly because of Senator Meehan's efforts. In my opinion we cannot pass this legislation without a referendum, and therefore, I recommend that this bill be put in form for reference to the people at the next election.

The Massachusetts Labor Relations Act, popularly called the Baby Wagner Act, was introduced with considerable pessimism on our part, but when the so-called Herter Bill was proposed, to turn the beneficial provisions of the Baby Wagner Act directly against us, the old spirit of fight was aroused and we staged one of our most effective demonstrations against this measure and laid the plans for a tremendous effort in behalf of our Baby Wagner Act.

In accomplishing the enactment of the Baby Wagner Act into law in the closing hours of the legislative session, I give full and unstinted credit to Legislative Agent Kenneth I. Taylor. Instigating a last minute flood of telephone calls, telegrams and personal solicitations from the home districts of the legislators, he routed a sure majority against our bill and snatched it from seeming defeat to a glorious and hard won victory. Thus, Massachusetts joins four other states in the Union in having a state Wagner act to apply the benefits of the National Labor Relations Act to intrastate commerce

within the bounds of Massachusetts. In the same surge of victory, the Anti-Labor Spy Bill was dragged through to success. I take pardonable pride in the sterling accomplishments of this young man.

I must pause at this time to make a few observations on the fate of the Child Labor Amendment in this Commonwealth. Year after year we propose this piece of legislation by unanimous vote of our conventions, and year after year a large portion of our movement is indifferent, if not worse, in their attitude toward its passage through our Legislature. Either we should wholeheartedly and honestly press for the adoption of this amendment, or we should permit some other agency to introduce the measure and leave the question of Labor's support to the personal convictions of its members.

I am proud to say, that in general, we had one of the finest and most successful legislative programs in our entire history.

Realizing, early in the year, that the main purpose of the Massachusetts State Federation of Labor was to preserve the integrity and maintain the supremacy of the American Federation of Labor in this Commonwealth, your President and the Executive Council bent its minds and its backs to this task, and were not swayed in any degree from this all-important duty.

Instead of ranting at those who disagreed with us, and shadow-boxing with bogey-men and hob-goblins, your official family formulated and carried out a real plan of campaign.

With the consent of the Executive Council, your President and Secretary-Treasurer conferred with President Green in Washington, and after acquainting him with conditions in Massachusetts, we suggested the following program:

1. That all American Federation of Labor local unions be forced to immediately affiliate themselves with their respective State Federations of Labor and Central Labor Unions.

2. That one and one-half million dollars be raised by means of a special per capita tax on the membership of all affiliated national and international unions.

3. The services of our regular Federation of Labor organizer be confined to New England exclusively, and Massachusetts particularly, and that other experienced organizers be assigned to this territory, upon the recommendation of your President and Secretary-Treasurer and Representative Fenton of the American Federation of Labor.

4. That a conference of the 10 North Atlantic states be called by President Green, so that the 10 State Federations of Labor could adopt a unified plan of organization.

These suggestions met with the hearty approval of President Green, and let me state that at *all* times, up to the present, we have continued our close contact with the President of the American Federation of Labor. We enjoy his confidence and have his approval of our efforts and actions.

In furtherance of our campaign, we had installed double telephone accommodations, employed an extra stenographer to help carry the great load of work and secured the services of six full time organizers working out of our Boston headquarters.

We were instrumental in having two full-time organizers appointed in Connecticut to take the load of that territory off of our own organizers. A full-time man was appointed in New Hampshire in the person of President John L. Barry of the New Hampshire State Federation of Labor. In fact with the addition of Secretary-Treasurer Watt, Legislative Agent Taylor and myself, together with the six full-time organizers working out of our office, we are so busy organizing the unorganized, that we haven't had time to realize that there is any dissension in the ranks of Labor.

In spite of the tremendous additional expense of additional quarters, telephone, extra help, postage, etc., we come into this convention with all bills paid to date and the sum of \$16,576.57 in the treasury, representing the largest sum of clear money which we ever possessed. We have affiliated 87 new unions to our State Federation of Labor and we have chartered both Federal and new charters for established national unions, for a total of 34 new organizations. To paraphrase a very popular saying, "We have just begun to get busy".

Let me pay tribute at this time to the perfect accord existing on the Executive Council and the wonderful spirit of co-operation which has been evidenced by all.

In the full flush of our celebration and rejoicing over our legislative and organizing success, we received a stunning and grievous blow in the sudden and untimely death of Congressman "Billy" Connery. Possibly this is in the nature of a divine admonition that all earthly things are only temporary and that joy and rejoicing should be tempered with a proper amount of humility for the benefits we are permitted on this earth.

The passing of "Billy" Connery, our true friend, and Labor's most outstanding champion, creates a gap in the high command of Labor's army for which there is no immediate prospect of replacement.

His own record of unremitting effort and service, and his great accomplishments in behalf of the working men and women of this nation, will serve more eloquently than words of men, as an imperishable monument to his everlasting memory.

Of course it is merely reiteration for me to attest to the great services rendered by Secretary Treasurer-Legislative Agent Bob Watt. If we have in any degree contributed to his present eminence, we are amply repaid by the excellent calibre of services he has given in return.

As a further evidence of the great esteem in which he is held, it is an honor and a pleasure to note that President Green selected Secretary Watt to represent the American Labor movement at the sessions of the International Labor Conference held in Geneva, Switzerland, during the first three weeks in June. As a further mark of honor, he was elected at the Conference as a member of the Board of Governors, representing America on this most important Congress of Labor, all of this with the approval of President Green of the American Federation of Labor.

"Service" has been the keynote at the headquarters of the Federation, and the gracious personality of our office secretary, Miss Agnes T. Kane, has made it possible for us to render real help to many of our affiliated unions.

Our confidence in the worth and ability of American Federation of Labor Representative Frank Fenton has been fully justified in the great job he is doing in the field. As major-domo of the organizing campaign, he is molding and directing a fine piece of well-functioning machinery.

Due acknowledgment should be given at this time to His Excellency, Governor Charles F. Hurley of Massachusetts, who signed freely and without hesitation, many of the legislative enactments which were sponsored by labor.

To Commissioner James T. Moriarty of the Massachusetts Department of Labor and Industries, we accord our deepest respect and tender our sincere congratulations. In the execution of the arduous tasks of his important office, he is fulfilling the best traditions of public service honestly and ably rendered.

My most fervent recommendation is that all local unions and Central Labor Unions immediately appoint active organizing committees to work in conjunction with the staff of organizers in our state headquarters, so that we may hang up an even bigger and better record during the year now ahead of us.

In concluding this report, let me urge that we give a literal interpretation to the slogan of the American Federation of Labor — "AGITATE, EDUCATE AND ORGANIZE".

Respectfully submitted,

JOHN F. GATELEE, President.



VICE-PRESIDENTS' REPORTS

DISTRICT I

To the Officers and Delegates to the 52nd Annual Convention of the Massachusetts State Federation of Labor:

Greetings:

As a vice-president of the First District, I hereby submit to you my report for the past year.

I spent a great deal of time and attended many meetings and conferences in an effort to organize and to bring in affiliations to the Massachusetts State Federation of Labor, workers who have never had the pleasure of having membership in any labor organization before. Some are operating under Federal charters, while others were directed to the organization to which they belonged, but at any rate, all are now enjoying the benefits of organized labor and are affiliated with the State Federation.

I attended all but two meetings of the Executive Council at which as a result of other business, it was impossible for me to be in attendance.

I attended meetings of a good many old line unions not affiliated with the State Federation and explained the benefits that they could derive as a result of their affiliation, and I am happy to report that I have been most successful in obtaining affiliations as this report will show.

At this time I want to express my appreciation for the co-operation of my colleagues on the Executive Council and all the unions in my district for the very fine help and co-operation they have extended to me at all times.

Respectfully submitted,

NICHOLAS P. MORRISSEY,
Vice-President, District 1.

To the Officers and Delegates to the 52nd Annual Convention of the
Massachusetts State Federation of Labor:

Greetings:

As one of your Vice-Presidents from the First District, I desire to submit this report of my activities during the past year. I have devoted much time to the formation of new local unions and have assisted, whenever possible, organizers of various international unions. Besides organizing new unions, I endeavored to assist in increasing the membership of many existing unions.

In the city of Somerville, I am pleased to report that in one of the larger department stores a union contract has been signed with the Retail Clerks' Union of Boston.

Whenever possible, I attended legislative hearings at the State House and was otherwise helpful by keeping in contact with legislators within my district in connection with legislation concerning labor.

It was my pleasure to preside over the Regional Conference for the First District, which proved to be very interesting and of great value to the large gathering of delegates in attendance. These annual conferences have proven their worth and should be continued.

Frequently I attended meetings of non-affiliated unions, encouraging them to become attached to this organization and enjoy the benefits of membership. During my visits to unions within my district, I have urged the purchase of only union made goods, and have on occasions been helpful to officers and members when advice was sought.

During the political campaign of last fall, I was active in "electing our friends and defeating our enemies" and co-operated with the non-partisan political committee in my district.

In conclusion I wish to state that I have attended all meetings of the Executive Council and have enjoyed taking part in the splendid work being done by our Federation of Labor.

Respectfully submitted,

MICHAEL J. O'HARE,
Vice-President, District 1.

To the Officers and Delegates to the 52nd Annual Convention of the
Massachusetts State Federation of Labor:

Greetings:

As one of your Vice-Presidents in the First District, I herewith submit my report for the year 1936 to 1937.

I have attended many meetings of the Executive Council, trying to carry out the matters referred to the Executive Council by the Convention of 1936.

I have also given to the best of my ability and time, attending hearings in the State House; also contracting Senators and Representatives on Legislation field by the State Federation.

It is my opinion that because of the enactment of the National Labor Relations Act that many of the unorganized workers in the Commonwealth of Massachusetts will be organized into their respective crafts or Federal Unions, which will then make additional affiliations to the Massachusetts State Federation of Labor, increasing our strength to the extent that we will be able to have adopted labor measures that heretofore we have been unsuccessful in having adopted.

I want, at this time, to extend my congratulations to President Gatelee; also Secretary-Treasurer-Legislative Agent Robert J. Watt, and Assistant-Secretary-Legislative Agent Kenneth I. Taylor for their splendid work on the legislative program and results that they have obtained in the last session of the Legislature and Senate; also the many Federal Unions that have been organized in this Commonwealth, by them.

I also want to at this time pay my congratulations to Francis P. Fenton, New England Organizer of the American Federation of Labor for his untiring efforts and assistance which he has given to the Executive Council on legislative matters; also in the organization of many Federal Unions in our State and New England territory.

I wish at this time to express my sincere thanks and appreciation to the officials of Local Unions and others for their co-operation and assistance during the past year.

Respectfully submitted,

ANTHONY J. DeANDRADE,

Vice-President, District 1.

DISTRICT II

To the Officers and Delegates to the 52nd Annual Convention of the
Massachusetts State Federation of Labor:

Greetings:

This being my first year to represent the Second District of the Massachusetts State Federation of Labor, permit me to say I have welcomed the opportunity to serve you and enjoy the sessions held with other selected brother vice-presidents of our State Federation of Labor.

Appreciating the strong forces created by the opponents of a real American Federation of Labor, national, state, and local, it has been my humble part to try to create a feeling of honesty and integrity between employers and employees of my district. This has only been accomplished by the loyal support of our fellow trade unionists within the district, and the earnest support of President John F. Gatelee, Secretary-Treasurer Robert J. Watt, and Assistant Secretary Kenneth I. Taylor.

The Regional Conference for the Second District, which was held Sunday, March 7, at Fall River, was very successful, being attended by a large

group interested in the work our State Federation of Labor is successfully carrying on for the welfare of the workers of our Commonwealth.

During the past year I have visited many local unions that were not affiliated with our State Federation of Labor. I believe these unions will very shortly be a part of our State Federation organization, particularly after receiving notice from their international and national unions that it is their duty to do so. In conclusion I sincerely wish the delegates and members of our State Federation of Labor a successful year.

Respectfully submitted,

GEORGE SANDERSON,

Vice-President, District 2.

DISTRICT III

To the Officers and Delegates to the 52nd Annual Convention of the
Massachusetts State Federation of Labor:

Greetings:

During the past year since our Convention, many problems both old and new have confronted our movement here in Massachusetts. The recent liberal legislation passed by the United States Congress and interpreted by the United States Supreme Court to favor the workers of this country has crystallized the sentiment favorable towards organization.

As an Executive Board member, I am pleased to have been associated with Executive Board members who have maintained a sane attitude throughout the existing dispute between the American Federation of Labor and the Committee for Industrial Organization.

The past year has been a busy time for labor executives and I have complied with every request that has been made to me to speak at organization meetings or to represent the newly formed unions in negotiations with their employers, mostly with success.

With the great demand for organization, it seems discouraging that the "old line" organizations, particularly Building Trades Unions, do not cope with the sentiment that prevails and try to unionize many workers who are non-union and are a severe competing problem. One of the great reasons why organization has not taken place in the building industry to the same degree that it has in other industries is because of the high initiation fee which makes it almost prohibitory to induce non-union building mechanics to join a union.

I am pleased to have participated in the splendid legislative accomplishments that have become a reality in Massachusetts this year. The two outstanding bills passed by the General Court and signed by the Governor, in my opinion, are the Industrial Spy Bill and the Baby Wagner Act. The all-important legislative hearings on Beacon Hill were well represented by delegates of labor unions of the Third District.

The Regional Conference held in Salem was well represented by delegates from the Third District and the results were very beneficial to the local members and representatives.

I wish to extend my personal appreciation to the work accomplished by Assistant Secretary-Legislative Agent Kenneth I. Taylor, who has proved very able to the huge assignment that was given to him at our last Convention. I wish also to express my thanks to Miss Agnes T. Kane, who has been at all times very diligent and obliging. I wish to thank the officers and delegates from the Third District for the co-operation and assistance they have shown me since our last convention, and my colleagues on the Executive Board for their tolerance and spirit of co-operation.

Respectfully submitted,

MATTHEW P. MANEY,
Vice-President, District 3.

DISTRICT IV

To the Officers and Delegates to the 52nd Annual Convention of the
Massachusetts State Federation of Labor:

Greetings:

In accordance with the constitution of this organization, I submit this brief report of my activities during the past year as your vice-president of the Fourth District.

I have attended all sessions of the Executive Council, endeavored to assist in solving the problems and to transact business of the Federation. On several occasions assignments were given me by President Gatelee, Secretary Watt and Assistant Secretary Taylor, which I always fulfilled to the best of my ability.

During the session of the Legislature I attended many of the important hearings on labor measures. It is pleasing to note that leaders and members of unions throughout the Commonwealth are devoting much more attention to legislation concerning labor. In this same connection I wish to state that it is an honor to have such outstanding leaders as President John F. Gatelee, Secretary Robert J. Watt and Legislative Agent Kenneth I. Taylor. Their efforts in behalf of the labor movement of Massachusetts should be sincerely appreciated by all of our members.

I wish to especially express my appreciation of the wonderful work done by our aggressive Legislative Agent, Kenneth I. Taylor, whose outstanding achievements of the year were the passage of the Baby Wagner Act, the Labor Spy Bill, and many other important pieces of labor legislation.

In the course of the year I have contacted non-affiliated unions, urging them to join with our Federation, and have kept in constant contact with legislators within my district regarding labor legislation.

The annual Regional Conference for the Fourth District was well attended by delegates from Worcester and cities and towns in the vicinity. The splendid report given by our Legislative Agent should inspire larger groups to attend future conferences and should be an incentive for every union to affiliate with the Federation.

In conclusion I wish to express my sincere appreciation for the co-operation extended by the various unions and members within the Fourth Dis-

trict, and for the co-operation extended by members of the Executive Council I am indeed grateful. It has been a pleasure and honor to serve my district.

Respectfully submitted,

PATRICK J. BEGNEY,

Vice-President, District 4.

DISTRICT V

To the Officers and Delegates to the 52nd Annual Convention of the
Massachusetts State Federation of Labor:

Greetings:

As vice-president of the Fifth District, I submit this report of the activities in this section.

I attended all the meetings of our Executive Council during the past year.

The Massachusetts State Federation of Labor had a number of important labor bills before the Great and General Court this year. I was present at all the hearings before the various legislative committees to record this district in favor of the legislation which would be beneficial to labor, as well as to oppose any legislation which would be detrimental to the best interests of labor.

While the Federation did not get everything it asked for, it is a pleasure to report that we had another most successful year with our legislative program in this connection, our hard-working President and Legislative Agent should be greatly commended.

The national and state elections of last fall required considerable time and effort of the working people of our district to elect the "friends of labor" and to defeat the "foes of labor". With the co-operation of the Holyoke and Springfield Central Labor Unions, we were able to defeat a very reactionary State Senator from this district. It was not an easy task and I want to thank all the members of organized labor who helped us to show the strength of labor at the polls last November.

The annual Regional Conference held in Springfield this year was very successful. All members of organized labor, whether affiliated with the State Federation of Labor or not, were invited to attend. Great interest was shown in this conference and it proved to be very instructive, particularly to some of the new members who were amazed at the achievements of the Federation for beneficial labor legislation.

This year has been an exceedingly busy one for labor and I have continued to help organize new unions and to assist those already organized.

At this time, I wish to express my appreciation of the efforts and co-operation of the various unions in this district, the Springfield Central Labor Union and the Executive Council of the Massachusetts State Federation of Labor.

Respectfully submitted,

CHARLES E. CAFFREY,

Vice-President, District 5.

REPORT OF THE DELEGATE TO THE FIFTY-SIXTH ANNUAL CONVENTION OF THE AMERICAN FEDERATION OF LABOR

As the delegate from the Massachusetts State Federation of Labor to the Fifty-Sixth Annual Convention of the American Federation of Labor, held in Tampa, Fla., November 16th to November 27th, 1936, I respectfully submit to the delegates attending our annual convention the following report:

In accordance with the instructions of the delegates attending the 51st annual convention of the Massachusetts State Federation of Labor, held in New Bedford, I presented the following resolutions for the consideration of the delegates at the Tampa convention:

RESOLUTION NO. 94, providing that the American Federation of Labor be requested to file legislation with Congress requiring that savings banks, trust companies, and domestic life insurance companies when spending money under their control to comply with all the obligations set forth in Section 7, and related sections of the Wagner Labor Act. This resolution further requested that the American Federation of Labor urge all State Federations of Labor to undertake similar action to the end that those in control of the life savings of wage earners would not make use of such wealth to finance employers who violated the laws of the nation. After considerable discussion the matter contained in Resolution No. 94 was referred to the Executive Council for study and appropriate action.

RESOLUTION NO. 78, urging a Constitutional Amendment to permit Congress to establish minimum wages, maximum hours, regulation of employment of women and minors, rights to bargain collectively, and a quarantine against the importation of goods from states which failed to adopt such standards. This resolution, signed by all the delegates from Massachusetts, was one of a large number submitted dealing with a revision of the Constitution and was referred along with all the others to the Executive Council for study and action.

RESOLUTION NO. 75, providing that the American Federation of Labor endorse the continued maintenance of government work relief through the Public Works Administration, the Civilian Conservation Corp, the Works Progress Administration and such other agencies, until such time as the 30-hour week or its equivalent with no reduction in wages is established on a national scale was signed by all Massachusetts delegates and unanimously concurred in by the Convention.

RESOLUTION NO. 99, instructing your delegate to request the American Federation of Labor to seek amendments to the Federal Reserve and Reconstruction Finance Acts so that the financial policies of the Federal Government would be in harmony with the national labor policies, was favorably reported by the Committee and unanimously adopted by the Convention.

RESOLUTION NO. 76, providing that the American Federation of Labor urge upon the Congress of the United States the need for asserting its full legislative prerogative, so that any usurpation of legislative powers by courts of any nature, be promptly restricted. This was only one of many resolutions submitted by delegates dealing with the United States Supreme Court. After hours of discussion, the Resolutions Committee reported that

they believed it advisable that all the resolutions be referred to the Executive Council so that the entire subject may receive their careful study and appropriate action. The report of the Committee was adopted by the Convention.

RESOLUTION NO. 77 was presented by all the Massachusetts delegates and requested the American Federation of Labor to secure the co-operation of competent, experienced individuals in an effort to draft a basic legislative program to be recommended to the respective State Legislatures as a uniform workmen's compensation program. In lieu of the resolution the Committee recommended the continuance of the established policy of the American Federation of Labor to secure uniform workmen's compensation legislation.

RESOLUTION NO. 97, urging that the United States Department of Labor be requested to provide for the appointment of accredited workers' representatives to serve in the administration of the Walsh-Healey Act, was concurred in by the Resolutions Committee and unanimously adopted by the Convention.

Dealing with the most discussed matter at the Convention, the delegates approved the action of the Executive Council in suspending 10 unions for their membership in the C.I.O. In its report on this subject to the Convention the Resolutions Committee summed up the matter as follows:

"The question to be considered is whether the Executive Council erred in the procedure it followed and in the decisions reached, either because of lack of authority or in reaching beyond its authority, or if its judgment, though legal, may have been in error. Then, too, there is involved the question of validity or invalidity of the course followed by the suspended unions in their agreement and combination to substitute, not by action of orderly and agreed-to procedure, the will of a minority over that of an unquestioned majority and in disregarding not only the rights and guarantees of other affiliated unions, but in violating the very principles and conditions upon which affiliation with the American Federation of Labor is predicated."

After a long discussion the Convention by a vote of 21,679 to 2,043 adopted the report of the Resolutions Committee including the following three specific steps "to maintain both the integrity of the American Federation of Labor and preserve the unity of the labor movement":

(1) That the Convention approve of all actions taken, decisions reached and rulings made by the Executive Council.

(2) That the special committee appointed to discover a basis of settlement be continued with the full faith and confidence of the Convention.

(3) In the event that by action of the suspended unions they make the present relationship beyond bearing, that the Executive Council be authorized and empowered to call a special convention of the American Federation of Labor.

Commendation of the investigation regarding civil liberties violations, being conducted at the direction of the United States Senate by a committee under the chairmanship of Senator Robert M. LaFollette of Wisconsin, was voted by the Convention with the recommendation that the American Federation of Labor Executive Council mobilize its efforts to secure an appropriation of not less than \$200,000 for the use of the committee in order that

the ramifications of the detective agencies in labor disputes and in the field of civil rights may be explored.

Impressed with statistics presented by the Executive Council showing that disease visits the poor with greater frequency than those in better circumstances, that medical care is not provided according to need but according to capacity to pay, the Convention declared that disease, with the costs of its medical care, is one of the most frequent causes of poverty, and must be prevented if social security is to be promoted. The Convention urged the Federal Government to create a commission to study and recommend plans for co-ordination and improvement of our provisions for social security and other expansions to include compensation and medical care for sickness.

The report of the Executive Council on "Housing for Wage Earners" was approved by the Convention and the delegates directed that a vigilant and constructive effort be made to promote through legislation the durable construction of housing for wage earners with particular emphasis upon the importance of protecting the interests of both labor and the consumer in any housing movement.

There were 10 resolutions before the Convention urging the adoption of a Labor Party by the American Federation of Labor. In non-concurring with them all, the Convention adopted the report of the Resolutions Committee which said:

"Your Committee is of the opinion that nothing has occurred since the last Convention to justify any change in the well established non-partisan political policy of the American Federation of Labor.

"To the contrary, the most recent political experience in the election of a President of the United States, and the members of Congress of the United States, again emphatically demonstrates the wisdom and the practical value of the non-partisan policy of the American Federation of Labor to the trade unionists of our country."

The Convention amended the constitution of the American Federation of Labor by restricting the power of Central Labor Unions to boycott employers. Section 7 of Article XI of the American Federation of Labor constitution now reads: "No Central Labor Union or other Central Labor Body of delegates shall have power or authority to originate a boycott, nor shall such bodies endorse and order the placing of the name of any person, firm or corporation on an unfair list that has agreements with any International or National Union or Local Unions until the International or National or Local Unions having such agreements are informed of the request made upon the Central Body of delegates, and such International, National or Local Unions working under agreements that may be affected have had reasonable time to intercede and until the Local Union desiring such action by the Central Body has, before declaring the boycott, submitted to the Central Body for investigation and the best endeavors on its part to effect an amicable settlement. Failure to reach an understanding between the unions involved, the entire matter shall be referred to the Executive Council of the American Federation of Labor which shall be empowered to grant or refuse such request."

Three resolutions regarding the use of the National Guard in industrial disputes were referred to the Executive Council with the request that they

continue their efforts to prevent this practice of using state militias in the guise of maintaining public order but in reality for the purpose of intimidating workmen and breaking strikes.

Another matter of importance which was approved and adopted by the Convention was the following recommendation of the Executive Council as a result of instructions given them at the Atlantic City Convention in 1935:

"All resolutions, petitions or appeals must be submitted to the Secretary-Treasurer of the American Federation of Labor 30 days prior to the opening of the Convention.

"Proposals emanating from State Federations or Central Labor Bodies must first have received the approval of the organization submitting the subject matter.

"All other matters received or submitted after the time stipulated shall be referred to the Executive Council, and the acceptance of such proposals will be dependent upon the unanimous consent of the Convention."

There were 493 delegates in attendance, representing 87 National and International Unions, 35 State Federations of Labor, 83 Trade and Federal Labor Unions, and four departments of the American Federation of Labor.

The Convention concurred in the action of the Executive Council in accepting the resignation of John L. Lewis, David Dubinsky and William L. Hutcheson as Vice-Presidents, and in appointing Felix H. Knight of the Brotherhood of Railway Carmen, George E. Browne of the International Alliance of Theatrical Stage Employees and Moving Picture Operators, and Edward Flore of the Hotel and Restaurant Employees' International Alliance and Bartenders' International League of America, to fill the vacancies.

Although this report may seem somewhat lengthy, I have done my utmost to confine it to matters of broad general interest. I want in conclusion to express to the delegates my sincere thanks for the honor conferred upon me, and my sincere appreciation for the opportunity to represent them and act as their delegate. For this opportunity I am indeed grateful.

Respectfully submitted,

ROBERT J. WATT,
Secretary-Treasurer - Legislative Agent.



REPORT OF ASSISTANT SECRETARY-LEGISLATIVE AGENT



To the Officers and Delegates to the 52nd Annual Convention of the
Massachusetts State Federation of Labor:

Greetings:

The following report outlines the legislative activities during the 1937 session of the Massachusetts Great and General Court. No attempt is made to render a minute report of assignments covered during the past year in connection with organization work, speaking engagements and other duties, as such assignments would be too many and varied to outline within this limited space.

Much legislation of benefit to Massachusetts wage earners was enacted into law this year. In fact, it is a pleasure to report that during the past session labor enjoyed one of its most successful legislative years. Outstanding among the laws adopted were the Massachusetts Labor Relations Act, the bill to eliminate the use of private detectives to spy on labor, Minimum Wage law, amendments to the Workmen's Compensation Act, amendments to the Unemployment Compensation Law, and many others, all of which are outlined herein.

Other measures, sponsored or supported by the Federation, unfortunately were not adopted, some of which were important and should be filed again during the next session of the Legislature.

BILLS FAVORED BY LABOR AND ENACTED INTO LAW

MASSACHUSETTS LABOR RELATIONS ACT

(Petition of the Massachusetts State Federation of Labor)

An Act Relative to Promotion of Equality of Bargaining Power Between Employer and Employee, Diminishing the Causes of Industrial Disputes by Encouraging Collective Bargaining, and Creating a Labor Relations Commission — House Bill No. 847. (Subsequently substituted by House Bill No. 1967).

Adopted by the House of Representatives May 28, adopted by the Senate May 28, and signed by the Governor May 29. Now Chapter 436.

The enactment of this important piece of legislation represents one of Federation's major victories during this session of the Legislature. Four other states, New York, Pennsylvania, Wisconsin and Utah, have also adopted such legislation to protect wage earners. In this Commonwealth such a law should encourage workers, who could not be protected under the National Labor Relations Act, to join unions and bargain collectively with their employers.

The new law sets up a labor relations commission of three members, whose duty it will be to administer the law. Complaints may be filed with commission against employers who have violated the terms of this law, which will be investigated and, if necessary, hearings may be conducted to deter-

mine whether an employer has interfered with any of the rights of the employees.

Many complaints have been filed with the Department of Labor and Industries against employers who discharged workers because of union activities. Unfortunately, there was no law to allow the department to investigate or conduct hearings in such cases, nor could the complaint be filed with the regional office of the National Labor Relations Board because the firm against which the complaint was filed operated in the field of intrastate commerce. This law will deal exclusively with such cases. No longer do workers in intrastate commerce need fear the employer when considering joining a union.

Employers throughout Massachusetts opposed the enactment of this law by every available means but without success. Desperately they fought against it when it was pending in the House of Representatives and Senate. The real fight to have this law enacted came in the House, where party lines were smashed and debate was heated.

In that branch the law was not adopted until after five roll call votes were taken, a fight waging at each of these steps of the way. First, Representative Herter, with the support of Representative Lasell, offered an amendment to have unions incorporate, which was rejected, 120 to 104. He then offered an amendment to have unfair labor practices apply to unions or their representatives, which would actually outlaw strikes, peaceful persuasion, and activities of organizer. This amendment was rejected, 113 to 111. The majority whip having failed, the strategy was evidently changed. This time Representative Lasell offered an amendment requiring labor unions to file with the state annual financial statements. This amendment, too, was rejected by a vote of 124 to 94. Our opponents, a bit weary after several unsuccessful attempts to amend the bill so that it would resemble the Herter Bill, ceased firing. The law was then enacted by a vote of 214 to 10.

Much credit for having this important law enacted in the House of Representatives belongs to two young and able friends of labor, Representatives Timothy J. Murphy of Boston and Rodolphe G. Bessette of New Bedford. Both of these legislators fought labor's battle every inch of the way, stopping only after success was attained. Both were the oratorical "big berthas" whom labor depended upon for the successful passage of this measure.

In the Senate, thanks to Senator James P. Meehan, there was little difficulty encountered. Senator Meehan was there waiting, as he always is, for labor measures, and guided it through by a vote of 28 to 9.

Space is too limited to adequately thank the representatives of various labor unions who came on various occasions to the State House and were very helpful in having this law enacted. Their efforts are deeply appreciated, nevertheless.

(Appended to this report is the Massachusetts Labor Relations Act, which becomes law August 28, 1937).

LAW TO ELIMINATE LABOR SPIES

(Petition of Massachusetts State Federation of Labor)

An Act Relative to Promoting Peaceful Industrial Relations by Regulating Certain Forms of Private Police and Detective Activity in Labor Disputes and Related Matters — House Bill No. 838.

Adopted by the House of Representatives May 28, adopted by the Senate May 28, and signed by the Governor May 29. Now Chapter 437.

This law is another important measure sponsored by the Federation of Labor. Filed last year, it was nearly adopted but for one vote in the Senate, after being passed by an overwhelming vote in the House of Representatives. This year the investigation by Senator Robert M. LaFollette and his committee of the activities of private detectives and others was too much for our opponents.

Senator LaFollette's investigation reveals that in some sections of the country it is hard to drop a dime without hitting a labor spy. The spying industry was one of the most prosperous businesses in the United States. The financial statements of the Pinkerton agency and others, which were confiscated by agents of the investigating committee, reveal that business has flourished in the past three or four years due, of course, to the laws that give workers the right to organize and bargain collectively.

This new law will be administered by the Department of Public Safety, where private detectives are now licensed but are not prohibited from spying on wage earners. It becomes unlawful for any private detective or undercover operative to pose as a worker and enter a place of employment for the purpose of reporting on the activities of employees who may be forming or taking part in a union, or any matters pertaining to wages, hours or working conditions.

Any undercover operative convicted after a hearing of having violated this law is subject to having his license revoked. Complaints against such operatives may be filed by any aggrieved person, including a union or any officer thereof.

In the House of Representatives little opposition was displayed, and with the assistance of Representative James Donnelly it was adopted, and in the Senate the measure was guided through by Senator James P. Meehan.

An interesting hearing was held in connection with this measure, at which many representatives of labor unions appeared, submitting testimony and evidence galore. Among them were Representative Francis P. Fenton, American Federation of Labor; John J. Kearney, Massachusetts Hotel and Restaurant Employees' Union; Thomas F. Burns, United Rubber Workers of America; William G. Batty, New Bedford Central Labor Union and New Bedford Textile Council; John Wade, Lawrence Central Labor Union; Harry Grages, Boston Central Labor Union; Herman Koster, Cambridge Central Labor Union; Charles O'Donnell, Boston Barbers' Union; Michael Flaherty, Boston Painters' Union; Timothy O'Neil, Lawrence Teamsters and Chauffeurs' Union; Hubert Lally, Lawrence Painters' Union; John Van Vaerenwyck, New England Cigar Makers' Union, and Rose Norwood, Women's Trade Union League.

MINIMUM WAGE LAW

(Message from His Excellency, Governor Charles F. Hurley)

An Act Further Amending the Laws Relative to the Determination and Establishment of Minimum Fair Wage Rates for Women and Children House Bill No. 1684. (Subsequently substituted by House Bill No. 1966).

Adopted by the House of Representatives May 27, adopted by the Senate May 28, and signed by the Governor May 29. Now Chapter 401.

Prompted by the United States Supreme Court's reversal on the constitutionality of minimum wage laws for women and minors, Governor Hurley sent a message to the Legislature urging the adoption of a stronger and better law relative to minimum wages.

Last year the law was changed to meet objections of the Supreme Court and this year it was changed again to meet the 1937 views of the same court.

Under this new law, which establishes a minimum wage commission within the Department of Labor and Industries to be made up of the associate commissioners, a minimum wage decree may become mandatory after a ninety-day directory period. The old law provided for a directory period of nine months, giving "fly-by-night" and "chiseling" employers too long a period to pay oppressive wages before the decree really became enforceable.

Commissioner James T. Moriarty of the Department of Labor and Industries played an active part in having this measure adopted, as did Miss Margaret Weisman, Executive Secretary of the Massachusetts Consumers' League.

REGULATION OF INDUSTRIAL HOMEWORK

(Petition of James T. Moriarty)

An Act Regulating Industrial Homework — Senate Bill No. 259. (Subsequently substituted by House Bill No. 1846).

Adopted by the House of Representatives May 25, adopted by the Senate May 27 and signed by the Governor May 29. Now Chapter 429.

Massachusetts has acted to curb and regulate industrial homework and its attendant evils. This bill, which was adopted as an emergency measure, is now in effect, and provides the Commissioner of Labor and Industries with the power to do a real job of curbing the activities of chiseling employers who engage in the "game" of exploiting wage earners and jeopardizing labor standards.

The United States Department of Labor estimates that seventy-five industries are known to resort to homework in the making of their products. Some involve the most delicate needle work, others require only simple operations, but in all instances the wages are very low.

This method of manufacture has contributed its share to prolonging the economic disorder of the nation. When wages as low as three cents an hour are paid for the services of homeworkers by employers who are permitted to compete with legitimate manufacturers whose wage and labor standards at

least coincide with existing state laws, it may be surprising that such a mild term as "economic disorder" is used.

Health hazards, also, are an important aspect that must be considered. Without supervision or regulation, there are no means of knowing whether homeworkers may be carriers of contagious diseases or to what extent such diseases are being passed along to the ultimate consumers of homework products.

Under this new law certain specific commodities cannot be produced by homeworkers. Employers who continue to engage in such manufacture must obtain a license from the Department of Labor and Industries, as do individuals who contemplate becoming or continuing to be homeworkers. The Commissioner may at any time cause investigations to be made for the purpose of ascertaining whether such work is impairing the existing labor standards established by law; he is empowered to establish rules and regulations to govern industrial homework, and is also given the power to examine payrolls and other records of employers of homeworkers which must be kept. Substantial penalties are provided in the event employers disregard this new law.

Similar laws exist in New York, Connecticut and Rhode Island, and in California, Wisconsin and Connecticut minimum wages have been fixed for homeworkers.

Commissioner Moriarty and his corps of inspectors submitted much evidence to the Committee on Labor and Industries, giving interesting first-hand information about the industrial homework situation in Massachusetts.

ONE DAY'S REST IN SEVEN FOR RESTAURANT EMPLOYEES

(Petition of John J. Kearney and others)

An Act Making the Provisions of the One Day's Rest in Seven Law, so called, Applicable to Certain Restaurants — House Bill No. 1443. (Subsequently substituted by House Bill No. 1677).

Adopted by the House of Representatives April 1, adopted by the Senate April 8, and signed by the Governor April 16. Now Chapter 221.

The enactment of this legislation makes it mandatory for restaurant owners to provide their employees with one day's rest in seven. Although to some it may be surprising that anyone is required to work seven days each week, especially when the five-day work week is so prevalent, many restaurant owners have required employees to be at work every day in the week.

Many waitresses and others employed in restaurants, particularly unorganized workers, will welcome this legislation and the day's rest in seven that it provides.

John J. Kearney, business representative of Hotel and Restaurant Employees Union, No. 34, led the successful fight in favor of this measure.

REDUCTION OF WAITING PERIOD — WORKMEN'S COMPENSATION

*(Petition of Representatives William F. King, Hubert L. McLaughlin
and George T. Ashe)*

An Act Relative to the Time at Which Compensation Shall Begin to be Paid Under the Workmen's Compensation Law — House Bill No. 846. (Subsequently substituted by Senate Bill No. 442).

Adopted by the House of Representatives May 24, adopted by the Senate May 25, and signed by the Governor May 28. Now Chapter 382.

This bill originally provided for benefits under the Workmen's Compensation Act from day of injury regardless of the length of time a workman was incapacitated. Such a petition is not new. It has been sought for years.

The present law provides that compensation start from day of injury, provided a workman is incapacitated twenty-eight days or more.

This amendment to the law reduces the period of incapacitation to two weeks in order to have compensation start from the day of injury.

**WORKMEN'S COMPENSATION — INCREASED BENEFITS
FOR DEPENDENT CHILDREN**

(Petition of Representative Joseph E. Duffy of Boston)

An Act Increasing the Amount and Period of Payments to Certain Dependent Children of Employees Killed in Industrial Accidents — House Bill No. 1256. (Subsequently substituted by House Bill No. 1851).

Adopted by the House of Representatives May 6, adopted by the Senate May 13, and signed by the Governor May 20. Now Chapter 325.

This measure amends Section 31 of the Workmen's Compensation Act, which provides benefits for dependent children of employees killed in industrial accidents. Under the present law benefits to children were limited to \$6,400, or for not longer than a period of four hundred weeks. Under the new amendment benefits shall continue at least until the age of eighteen years.

**BILL PROVIDING PAYMENT OF COMPENSATION IN CASES OF
SUN STROKE, FROST BITE, ASSAULT AND SUICIDE**

(Petition of Attorney Joseph Bear)

An Act Providing for Payment of Workmen's Compensation in Certain Cases of Sun Stroke, Frost Bite, Assault and Suicide — House Bill No. 239. (Subsequently substituted by House Bill No. 1850).

Adopted by the House of Representatives May 18, adopted by the Senate May 20, and signed by the Governor May 28. Now Chapter 370.

Heretofore victims of sun stroke, frost bite, assault and suicide, according to court decisions, were given no protection or benefits under the Workmen's Compensation Act. This was due to no immediate connection between

a workman's occupation and sun stroke, frost bite, etc., in the opinions of some.

The amendment, however, clearly states and definitely covers workmen who become incapacitated from causes mentioned above and permits benefits to be paid in such cases.

AMENDMENTS TO UNEMPLOYMENT INSURANCE LAW

(Petition of Emil E. Fuchs, Robert J. Watt and Frank G. Allen)

An Act Relative to Unemployment Compensation — House Bill No. 1444.
(Subsequently substituted by Senate Bill No. 433).

Adopted by the House of Representatives May 28, adopted by the Senate May 28, and signed by the Governor May 29. Now Chapter 421.

Explanation of amendments dealing with the waiting period before unemployed men and women receive benefits, benefits in case of lockouts, etc., will be found in the officers' report under Unemployment Insurance.

DISCRIMINATION AGAINST WAGE EARNERS BECAUSE OF THEIR AGE

(Recommendation of Department of Labor and Industries)

An Act Prohibiting Discrimination Against Certain Persons in Employment on Account of Their Age — House Bill No. 33. (Subsequently substituted by House Bill No. 1863).

Adopted by the House of Representatives May 6, adopted by the Senate May 24, and signed by the Governor May 27. Now Chapter 367.

At last the Massachusetts Legislature has recognized the fact that men and women are being discriminated against in industry because of their age. An exhaustive survey by the Department of Labor and Industries shows conclusively that men over 45 and women over 35 years of age have little chance of obtaining employment once they are laid off or discharged.

Many factors are attributable to this practice of discriminating against elderly wage earners. Group insurance, which is obtainable at a low rate if the average age of a group is low, is known to encourage such discrimination. Under the Workmen's Compensation Act there are definite reasons for maintaining a low average age among workers, which, of course, cannot be accomplished without favoring younger workers instead of those of advanced years. It has been established that a young man loses less time and is confined a shorter period when injured, than a man 45, 50 or 60 years of age. Thus, the insurance companies are not required to pay as much in benefits when a young man is injured in industry. Then, too, when a young man who has no dependents is fatally injured, the insurance company is not required to pay, but when a middle age worker who has a wife and children is killed in industry, the insurance company has a far greater financial responsibility, under the law.

Possibly industrialists are entirely responsible for the discrimination, but it may be well to share the blame between them and insurance companies after considering the various features of the Workmen's Compensation Act.

OLD AGE ASSISTANCE

(Substitute Petition by Committee on Pensions for Several Relating to the Same Subject Matter)

An Act Relative to the Old Age Assistance Law, So Called — House Bill No. 1890.

Adopted by the House of Representatives May 24, adopted by the Senate May 27, and signed by the Governor May 29. Now Chapter 440.

Again this year an attempt was made to liberalize the Old Age Assistance Law by having amendments adopted so that aged citizens could receive benefits regardless of whether or not they had children to whom they could turn for support.

The only success was in having the amount for aged couples increased from \$45.00 per month to \$50.00. In the Senate it appeared as though the law was to be materially changed in favor of recipients but in the House of Representatives such a movement was turned back.

AMENDMENT TO REGISTRATION LAW FOR BARBERS

(Petition of the Board of Registration of Barbers)

An Act Making Effective Throughout the Commonwealth the Law Relative to the Registration of Barbers and the Practice of Barbering — Senate Bill No. 312.

Adopted by the Senate March 22, adopted by the House of Representatives March 31, and signed by the Governor April 9. Now Chapter 184.

Heretofore, although the Registration Law for Barbers was adopted as a state law, it never was designed, or intended, to be applicable to the entire Commonwealth. The cities and towns comprising the first Bristol senatorial district and the counties of Essex, Barnstable, Dukes and Nantucket were always exempt from the law.

After several years, the efforts of Journeymen Barbers International Union of Massachusetts, and other interested groups, have been crowned with success. The law now assumes jurisdiction over the entire Commonwealth, as it should, rather than exempt certain parts of the state.

AMENDMENT TO REGISTRATION LAW FOR BARBERS

(Petition of Charles W. Short)

An Act Repealing Provisions of Law Permitting Applicants for Registration as Barbers to Practice Barbering Pending Registration — House Bill No. 644.

Adopted by the House of Representatives March 1, adopted by the Senate March 8, and signed by the Governor March 11. Now Chapter 91.

This amendment to the Registration Law for Barbers is a decided improvement and strengthens the law considerably. Actually, the effect of this change is the elimination of the right of the Board of Registration of Barbers

to issue permits to applicants for licenses to practice barbering prior to an examination.

With the united support of officers and members of the Journeymen Barbers International Union of Massachusetts, together with hard work on the part of the petitioner, President Charles W. Short of the Barbers Local Union No. 30 of Springfield, there was little difficulty having this amendment adopted.

PREVAILING WAGE LAW FOR PRINTERS

(Petition of the Boston Allied Printing Trades Council)

An Act Providing for the Predetermination of Wage Rates To Be Paid to Employees of the Printing and Binding Trades by Employers Receiving Contracts from the Commonwealth of Massachusetts — House Bill No. 904. (Subsequently substituted by House Bill No. 1754).

Adopted by the House of Representatives May 11, adopted by the Senate May 24, and signed by the Governor May 28. Now Chapter 373.

The original bill (House 904) provided for a predetermined wage schedule for printers, pressmen, bookbinders and others engaged to fulfill printing contracts for the Commonwealth, which would be based on prevailing wage rates for such work now existing in various cities and towns by agreement between organized labor and employers. In fact, the bill resembles and was designed after the existing prevailing wage law for building trades mechanics who work on state contracts.

However, the substitute bill in no way provides for prevailing wages. Instead, successful bidders for state printing contracts must keep an accurate record of printers and binders employed on such work, the hours worked and the wages paid. The bill also provides that either the Administration and Finance Commission or the Department of Labor and Industries may inspect such records. If records as required are not kept by employers, fines of from \$25.00 to \$100.00 for the first offense and from \$50.00 to \$200.00 for the second offense may be imposed, together with being deprived of the right to contract for state printing.

Allied printing trades workers' interests were well represented by President Anthony DeAndrade, Boston Press Assistants' Union No. 18; President John Lang and Secretary-Treasurer J. Arthur Moriarty, Boston Typographical Union No. 13; Representative John Connelly, International Bookbinders' Union; Representative Joseph Dart, International Printing Pressmen's Union; President Thomas Madigan, Boston Photo-Engravers' Union No. 3; President John McDonald, Cambridge Bookbinders' Union No. 204, and Frank Callahan, Bookbinders' Union.

RAISING COMPULSORY SCHOOL AGE

(Petition of the Massachusetts State Federation of Labor)

An Act Raising the Age Limit for Compulsory Attendance for Minors from Fourteen to Sixteen Years — House Bill No. 1419. (Subsequently substituted by Senate Bill No. 453).

Adopted by the Senate May 26, adopted by the House of Representatives May 27, and signed by the Governor May 28. Now Chapter 65, Resolves.

During the session it was increasingly evident that both branches of the Legislature would vote favorably on the measure to raise the compulsory school age from fourteen to sixteen years. The usual opposition to this proposed law was conspicuously absent. The press, the clergy and Commissioner of Education James Reardon, had seemingly withdrawn active opposition. Possibly because of our determination to eliminate the use of child labor, so forcefully demonstrated each year, and especially during the hearing of the Child Labor Amendment, opponents felt the time had come when to oppose such an unselfish cause was unpopular.

The Committee on Education reported the bill favorably and in the Senate it reached the third reading stage without difficulty, except for the resistance offered by Senator Nicholson, who opposes every progressive measure "regardless".

When being scrutinized by the Senate legalists, however, it was found that the adoption of the measure, as drafted, would jeopardize a considerable amount of Federal money allotted to the Commonwealth for continuation and vocational school purposes. Other complications arose, also, which made even friends of the measure feel that the bill was not in proper shape for enactment.

Consequently, Senate Bill No. 453 was substituted and adopted, providing for a study of the matter of raising the compulsory school age from fourteen to sixteen, with the understanding that a bill is to be properly drawn and filed during the 1938 session.

We have reason to optimistically look forward to 1938 when our years of effort will be crowned with success.

TIPS FOR HAT CHECK AND CIGARETTE GIRLS

(Petition of Representative Daniel J. Honan)

An Act Relative to the Employment and Compensation of Persons Employed by Innkeepers and Others In Connection With the Checking of Garments and Sale of Cigarettes — House Bill No. 1258. (Subsequently substituted by House Bill No. 1915).

Adopted by the House of Representatives May 12, adopted by the Senate May 18, and signed by the Governor May 24. Now Chapter 342.

Patrons of inns and other such establishments where girls are employed to check clothes or sell cigarettes have been under the impression that all tips were allowed to be kept by these girls. Such has not been the case. In many instances generous tips have only fattened an already bulging profit pouch, for employers have compelled girls to turn them in.

This condition will be remedied, at least to a degree, under Chapter 342. No longer are girls who check clothes or sell cigarettes compelled to turn in their tips unless the employer has posted a notice to that effect in the establishment where patrons may read it.

BILL TO ESTABLISH REGULATIONS TO PREVENT ACCIDENTS AND INDUSTRIAL DISEASES

(Petition of James T. Moriarty, Commissioner of Labor and Industries)

An Act Relative to the Making of Rules and Regulations by the Department of Labor and Industries for the Prevention of Accidents and Industrial Diseases — Senate Bill No. 219.

Adopted by the House of Representatives April 15, adopted by the Senate April 22, and signed by the Governor April 29. Now Chapter 249.

This new bill amends Section 6 of the labor laws by striking out the words "applicable to either employers or employees or both", thus giving the Department of Labor and Industries a broader power to approach and prevent industrial accidents and occupational diseases.



BILLS FAVORED BY LABOR AND DEFEATED

STATE FUND — WORKMEN'S COMPENSATION

(Petition of the Massachusetts State Federation of Labor)

An Act for the Establishment by the Commonwealth of a State Fund to Replace Existing Provisions of Law Relative to Compensating Employees Injured in Industrial Accidents — House Bill No. 724.

Rejected by the House of Representatives May 4 and rejected by the Senate May 10.

The Massachusetts State Federation of Labor has spent several years designing what is considered to be the finest and most perfect bill to establish a State Fund for workmen's compensation. This seemed to be absolutely necessary after an exhaustive survey of the situation as it exists regarding protection for workmen injured in industry.

How long profits will be allowed to be derived from human misery depends largely on how long the voters will permit the powerful insurance interests to guide the voting of their legislators on such an important measure.

When workers are insured against unemployment and provided for during their old age through non-profit systems, it becomes difficult for any fair-minded person to understand why insurance for injured workmen should not be on a similar basis rather than on a profit-making arrangement.

A State Fund would not only take profits out of the workmen's compensation business but also would increase benefits to those who are injured and reduce the rates paid by employers. Pressure to rid industry of elderly workers, which is admittedly used, would automatically be relieved. Under

the present arrangement of having private insurance companies cover workmen, there are thousands of workers receiving no protection under the law. Granite workers, quarry workers, molders, painters, asbestos workers, stove workers and others are denied protection because insurance companies refuse to insure them or increase the rates so employers cannot afford such protection and stay in business.

Wage earners of every section of Massachusetts packed the Gardner Auditorium where the hearing of this bill was conducted. Outstanding among the groups were twelve busloads of stove workers from Taunton, all men who cannot have compensation because of private insurance companies, and busloads of quarry workers from Quincy who, too, are deprived of any benefit under the Workmen's Compensation Act.

Real cases were presented by Secretary Robert J. Watt, whose hobby it is to expose the tremendous profits being taken by insurance companies from the pool of money that rightfully should be exclusively for benefits, and Attorney Samuel B. Horovitz, the Federation's capable adviser on compensation matters, whose knowledge of workmen's compensation is surpassed by no one in the field.

It is evident, judging by observations made while this matter was pending in the Legislature, that too much pressure is used by insurance companies in the State House to have this measure adopted. A better way may be to have the measure voted on by the citizens by a referendum vote.

CHILD LABOR AMENDMENT

(Petition of the Massachusetts State Federation of Labor)

Resolutions Ratifying the Proposed Amendment to the Constitution of the United States Relative to the Labor of Persons Under Eighteen Years of Age — House Bill No. 604.

Rejected by the House of Representatives March 23 and rejected by the Senate March 30.

Although twenty-eight states have ratified the Child Labor Amendment and only favorable action is needed by six more states, it seems unlikely that Massachusetts will be one of the few necessary to make this amendment part of the Constitution of the United States.

This year's hearing of the petition before the Committee on Constitutional Law was probably the most spectacular ever held in the State House, attracting nation-wide attention for several days.

Organized labor has been abused and ill-treated for years, but it was always assumed that here in the "cradle of liberty", and under the Constitution of Massachusetts, citizens were entitled to be heard on such matters as were contained in petitions to the Legislature. Senator John D. Mackay of Quincy, chairman of the committee, however, felt differently. After he consumed our time before the committee not only by hearing our opponents but also by actually introducing them, he arbitrarily announced that the "gag rule" was to prevail. With 104 representatives of labor from every section of the Commonwealth present, many attending at a considerable expense to themselves, and who were anxious to be heard by the committee in favor of

the bill, Senator Mackay announced that labor could have one hour in which to have its case presented — after the opponents were heard.

At this stage of the hearing your representative protested, which did not seem to be in keeping with the Senator's plan, as was evidenced by the calling of the State Police to eject the writer. Such "Hitlerism" naturally provoked everyone in attendance, including some of the opponents of the bill, and, therefore, prompted the withdrawal of practically everyone from the auditorium. In protest of the Senator's display of "impartiality", a picket line was formed in front of the State House.

Notwithstanding such treatment, our right to be heard on this important matter was never restored.

After a vigorous fight in both branches of the Legislature, the measure was rejected. In the House the vote was 188 to 13, and in the Senate 30 to 6. Representatives Johnson, Morrill, Miller, Holtz, Whalen and Coakley took part in the fight on the floor in favor of ratification, and in the Senate the bill was supported in debate by Senators Meehan, Langone, Casey, Skibinski and Selzo.

During the short time allowed labor before the committee two important speakers were able to be heard. Assistant Secretary of Labor Edward F. McGrady and Secretary-Treasurer Robert J. Watt both presented splendid cases in favor of ratification.

BILL TO ABOLISH PENALTIES FOR PEACEFUL PERSUASION DURING LABOR DISPUTES

(Petition of the Civil Liberties Committee of Massachusetts)

An Act Providing for the Abolition of Penalties for Peaceful Persuasion During Labor Disputes — House Bill No. 1116.

Rejected by the House of Representatives May 3 and rejected by the Senate May 6.

Local unions are constantly faced with difficulty during labor disputes on the matter of peaceful persuasion. In some localities handbills, circulars, showcards, etc. are not allowed to be distributed or carried by strikes, which is an important method of advising the public and others of an existing labor dispute.

This proposed amendment would make it lawful to distribute handbills, cards, circulars and papers, or to carry or display showcards, placards or signs during a dispute, without interference of local authorities.

Support should be given this important measure next year. It is an amendment that the Federation ought to give considerable attention.

STATE WALSH-HEALEY BILL

(Petition of the Massachusetts State Federation of Labor)

An Act Requiring That Concerns Obtaining State Contracts Shall Conform to Certain High Standards of Labor and Conditions of Employment — House Bill No. 1488.

Rejected by the House of Representatives April 21.

This measure, designed after the Federal Walsh-Healey Act, would set up certain labor standards to be adhered to by contractors who successfully bid for state contracts of more than \$1,000. Contracts could only be given, under the terms of this measure, to bidders who observed the 40-hour work week, the right of employees to join a union and bargain collectively, minimum wage standards, time and one-half for overtime, and age limitations on child labor.

Such standards are observed by those contractors who successfully bid for United States Government contracts of more than \$10,000, leaving no reason for states not adopting similar standards. Certainly taxpayers are entitled to know and insist that their money be spent only with firms that are willing to observe fair labor standards.

Attorney A. Frank Reel was very helpful during the hearings on this measure. His splendid services are deeply appreciated.

REGULATION OF PRIVATE EMPLOYMENT OFFICES

(Petition of the Massachusetts State Federation of Labor)

An Act Providing for the Regulation of Private Employment Offices — House Bill No. 863.

Rejected by the House of Representatives May 26.

More and more legislators are beginning to realize the need of state regulation of private employment offices. After the House Ways and Means Committee reported this bill adversely, the House of Representatives offered sufficient support to reject the committee's report and ordered the bill to a third reading.

Representatives Schofield and Cohen of Boston and Baker of Newton led the attack on this measure when it appeared the bill was going to be adopted, causing its rejection again this year. Representatives Markley of Springfield and Youngman of Medford both ably defended and well justified the need of such regulatory legislation for private employment offices.

To some it is surprising to learn that outside of Boston there is little or no supervision over private employment offices. Even in Boston it is doubtful whether adequate scrutiny is given to this important matter. In other cities and towns private employment offices can be opened by obtaining a license, which is about as hard to secure as a dog license. The only requirements are the payment in some areas of a fee of as low as \$2.00 and a letter from two respectable citizens. In most instances licensing boards have charge of these agencies, along with their duties of licensing and supervising many other businesses and enterprises.

Miss Grace Cook, as usual, appeared at the hearing, opposing this measure in behalf of a group of private employment office operators, but failed to contribute very much as to why state regulation is not needed.

REGULATING THE HOURS OF LABOR FOR BARBERS

(Petition of the Associated Master Barbers of Massachusetts and others)

An Act Regulating the Hours of Labor of Barbers and Apprentices — House Bill No. 521. (Subsequently substituted by House Bill No. 1838).

Ordered to third reading by the House of Representatives May 3, recommit-
ted May 20, and rejected by Senate May 24.

This measure was the most important legislation to union barbers introduced at this session.

The original bill provided for establishing the hours of labor for registered barbers by the Board upon the petition of 80 per cent of barbers in any city or town in which there was a desire for regulation. House Bill No. 1838, which was substituted by the Committee on Public Health, provided for the opening and closing hours of barber shops throughout the Commonwealth, which, if adopted, would have prevented the chiseling shop owners from remaining open all hours in the evening, while union shop operators observed reasonable closing hour agreements.

It appeared as though the bill was to be enacted into law as the committee reported it favorably. In the House of Representatives it received its third reading. In the light of several court decisions declaring such regulatory legislation unconstitutional, many legislators were of the opinion such a measure would not pass the test before our Supreme Court and, therefore, rejected it.

DISMISSAL WAGE

(Petition of the United Mine Workers of America, District No. 50)

An Act Authorizing the Department of Public Utilities to Approve or Disapprove of the Consolidation, Abandonment or Other Changes in and of Gas and Electric Company Facilities of Public Service — House Bill No. 1243.

Rejected by the House of Representatives May 3 and rejected by the Senate May 6.

This proposed legislation was an attempt to safeguard wage earners against mergers, consolidations and other changes of operations among public utility companies, which might cause drastic reduction in personnel. Often times, such powers merger operations or introduce labor-saving devices with no regard for the workmen affected, who, in many cases, have been life-time employees.

Under the terms of this measure, utility companies would have to first seek the approval of the Public Utilities Commission before effecting any change of operations which might affect the personnel. The Commission would be guided by an established public policy, under this proposed act, of main-

taining existing opportunities of employment or provide for displaced employees before approving any petition to merge or consolidate companies. Provisions are made in the act for relocating employees elsewhere in employment similar to the work eliminated, dismissal wages equivalent to three years' earnings, and adequate pensions for those eligible for retirement.

This type of legislation is not new or unreasonable. It is the policy of many large companies in this country, as well as several railroads, in most instances by agreement with employees. The powerful utilities lobby worked hard to defeat this measure, doing everything possible to prevent roll call votes, which are always required before labor legislation of major importance is adopted.

Those appearing at the hearing in favor of this legislation were Robert Strachan of the Everett Gas and Coke Workers Union, Charles Keaveney of the International Brotherhood of Electrical Workers, Attorney Henry Wise, Charles Fell of the Boston Gas and Coke Workers Union, John Collins of the Brockton Gas and Coke Workers Union, William Cronin, Jr., of the Cambridge Gas and Coke Workers Union, and others.

PREVAILING WAGE LAW

(Petitions of the Massachusetts State Building Trades Council)

An Act Regulating the Contents of Certain Mortgages and Other Written Financial Transactions of Certain Insurance Companies — Senate Bill No. 169; and

An Act Regulating the Contents of Mortgages and Other Written Financial Transactions of Savings Banks, Co-operative Banks, Trust Companies, and Other Corporations, Partnerships, Associations and Individuals Subject to the Supervision of the Commissioner of Banks — Senate Bill No. 242.

Both were rejected by the Senate April 22 and rejected by the House of Representatives April 27.

These measures provided for the observance and inclusion of the so-called Prevailing Wage Law in any mortgage or other written financial transaction by an insurance company or bank when the purpose of such loan was for construction or repair work.

Adoption of these bills would have contributed measurably to the elimination of chiseling and wage cutting in the building construction business, and would have given to fair employers an opportunity to bid on work now available only to those who obtain contracts by underpaying building trades mechanics.

Vigorous in support of these bills were Senator James P. Meehan, Secretary E. A. Johnson of the Boston Building Trades Council, President Alfred Ellis of the Massachusetts State Building Trades Council, Business Representative Thomas Burns of the Boston Painters Union No. 11, and Business Representative Samuel Donnelly of the Electrical Workers Union No. 96 of Worcester.

SAFEGUARD OF INVESTMENTS OF SAVINGS BANKS AND INSURANCE COMPANIES

(Petition of the Massachusetts State Federation of Labor)

An Act Further Increasing the Safety of Legal Investments of Savings Banks and Domestic Insurance Companies — House Bill No. 929.

Rejected by the Senate April 22 and rejected by the House of Representatives April 27.

This measure would have prevented employers who disregard national and state labor laws, as well as the right of wage earners to join unions, from borrowing money from Massachusetts savings banks and insurance companies.

Too often during labor disputes, many times provoked by employers, banks and insurance companies lend money to industrialists, which is used for no other purpose than to defeat labor. In practically every such financial transaction savings of wage earners are indirectly used to help break a situation involving, perhaps, the same workers. Serious thought must be given this matter. It is not in keeping with the times to have financial houses use our money to defeat our people.

Under the terms of this bill a firm seeking a loan would have to be first certified by the Department of Labor and Industries as not having violated the terms of either the National Labor Relations Act or the Massachusetts Labor Relations Act for a period of at least six months prior to applying for such financial assistance.

Although the Committee on Banks and Banking reported this measure adversely, in the Senate substitution of the bill was fought for very vigorously. Solely through the efforts of Senator James P. Meehan it was nearly substituted for the committee's report. Thanks to Senator Meehan for the splendid fight he waged against such powerful forces as the bank and insurance interests. Thanks, also, to Representative Francis P. Fenton of the American Federation of Labor, whose enlightening testimony before the committee was sufficient justification for immediately adopting legislation to prevent borrowing our money to hire spies, sluggers and strikebreakers.

ELECTION OF JUDGES

(Petition of the Massachusetts State Federation of Labor)

Proposal for a Legislative Amendment of the Constitution to Provide for the Election of Judges by the People — House Bill No. 808.

Rejected by the Senate March 29 and rejected by the House of Representatives March 30.

Over the years organized workers have recognized the need of a new method of selecting judges. Many cases can be cited in which restraining orders and injunctions have been issued against unions, at the request of anti-union employers, without regard for truth or fact.

Until the adoption of the so-called Anti-Injunction Law in 1935, judges have restrained workers from conducting strikes and other necessary campaigns simply on the basis of an ex parte hearing.

One has only to consider the background of some justices, many of whom were counsels for corporations before being elevated to a judgeship, to realize how difficult, if not impossible, it is for such judges to appreciate the problems and viewpoints of wage earners when called upon to interpret or administer our laws.

Of course, with many attorneys serving in the Legislature it may be some time before such a proposed amendment to our Constitution can be adopted. Perhaps some other method of bringing about the election of judges by the people should be used. At least this seems to be the situation after observing the Legislature's action on our petition this session.

BILL TO REPEAL THE TEACHERS' OATH LAW

(Petition of the Massachusetts Council of Teachers' Unions and Others)

An Act Repealing the Act Commonly Called the Teachers' Oath Law — House Bill No. 1215.

Adopted by the House of Representatives March 18, adopted by the Senate March 30, and vetoed by the Governor April 1.

Another vigorous campaign was conducted this year to repeal the undesirable loyalty oath for teachers, which has caused much comment and resentment. Attorney A. Frank Reel, who organized the campaign, met with surprising success. In the House of Representatives the measure was adopted, 120 to 112, after a heated debate. Likewise, in the Senate repeal was favored, 21 to 19, after a stormy session, only to reach the Governor's desk and be vetoed.

Having the bill adopted by both branches of the Legislature is the nearest that proponents have come to removing this law from the statute books.

Large crowds gathered at the hearings in the Gardner Auditorium, as last year, indicating quite an interest in the movement in favor of repeal.

BILL TO AUTHORIZE CITIES AND TOWNS TO FINANCE CERTAIN HOUSING PROJECTS

*(Petition of the Massachusetts State Federation of Labor
and the Massachusetts State Building Trades Council)*

An Act Authorizing Cities and Towns to Finance, or Assist in Financing, Certain Housing Projects — Senate Bill No. 140. (Subsequently substituted by House Bill No. 1688).

Rejected by the House of Representatives May 11.

Although it appeared that leaders in the Legislature were favorable to this method of permitting cities and towns to finance, or assist in financing, housing projects, nevertheless, this measure was rejected.

It is important to our low paid workers that housing projects be carried on. Such housing projects are being carried on in parts of this Commonwealth, which will offer new, clean houses to the needy at a new low in rentals.

However, a message was sent to the Legislature by Governor Hurley requesting that a study be made of the subject of housing. The Special Com-

mission on Taxation and Public Expenditures, therefore, is charged with the duty of studying the matter and is to report to the next session of the Legislature.

LABOR REPRESENTATION ON PUBLIC UTILITIES COMMISSION

(Petition of the Massachusetts State Federation of Labor)

An Act to Provide for Representation of Organized Labor in the Membership of the Commissioners of the Department of Public Utilities — House Bill No. 771.

Adopted by the House of Representatives April 26 and rejected by the Senate May 4.

After being rejected by the House of Representatives, this measure to provide for one member of organized labor as a Commissioner of Public Utilities was revived through the efforts of Representative Irwin of Boston, whose vigorous fight finally resulted in its passage in that branch.

In the Senate it failed to pass by the close vote of 18 to 16. Senators Meehan of Lawrence and Casey of Milford fought hard, as they always do for labor, in favor of the adoption of this measure in that branch of the Legislature.

LABOR REPRESENTATION ON BOSTON PORT AUTHORITY

(Petition of the Massachusetts State Federation of Labor)

An Act to Provide for Representation of Organized Labor in the Membership of the Boston Port Authority — House Bill No. 1040. (Subsequently became part of House Bill No. 1935).

Adopted by the House of Representatives May 25, adopted by the Senate May 26, and signed by the Governor May 28. Now Chapter 57, Resolves.

Several bills dealing with the Boston Port Authority were before the Legislature this session, including the Federation of Labor's petition to provide for a member of its ranks to be included in the membership of the Port Authority. All are embodied in House Bill No. 1935, which provides for an investigation by a special commission.

COURSES IN ENGINEERING AT MASSACHUSETTS STATE COLLEGE

(Petition of the Massachusetts State Federation of Labor)

An Act Authorizing Certain Expenditures at the Massachusetts State College for the Purpose of Providing Instruction in Certain Phases of Engineering — House Bill No. 659.

Rejected by the House of Representatives April 12.

This bill would provide more thorough courses in the various phases of engineering at the Massachusetts State College, which that institution now lacks.

Massachusetts has for many years enjoyed the reputation of having some of the best schools and colleges in the country. Possibly this may be so, but young men who cannot afford to attend private institutions of learning, and desire a complete course in engineering, are required to leave our Commonwealth and attend such institutions as the University of New Hampshire and the University of Maine. This has been so in not a few instances.

The reason for not getting this much needed legislation is, of course, that it requires the expenditure of money. Last year, and again this year, it appeared that the Committee on Agriculture favored the adoption of this legislation but each time the Ways and Means Committee rejected it.

On two occasions Robert Hawley, secretary to the president of Massachusetts State College, and Secretary Francis M. Curran of the Holyoke Central Labor Union appeared at the hearings, being very helpful because of their intimate knowledge of the situation at Massachusetts State College.

HEALTH INSURANCE

(Petition of the Massachusetts State Federation of Labor)

An Act to Provide for the Establishment and Administration of a System of Health Insurance — House Bill No. 1489.

Rejected by the House of Representatives April 8 and rejected by the Senate April 14.

This measure resembles unemployment insurance in certain ways. It provides for medical care and benefits during the period of illness of a wage earner, while unemployment insurance simply provides financial benefits during unemployment periods.

It required much time to persuade legislators that unemployment insurance and old age pensions were strongly desired by wage earners who know what insecurity means. But protection for those who become confined by illness and who have no resources has been completely overlooked thus far. Such legislation, despite the opposition of alleged medical authorities, constitutes a sound attempt to maintain the health of wage earners and preserve happiness, which accompanies good health. Low paid wage earners could enjoy medical treatment under such a plan, a rarity to those who now can hardly earn enough to buy food and other necessities of life for their families.

Thanks to Secretary Abraham Epstein of the American Association for Social Security for journeying from New York to the hearing on this measure. His remarks in favor of Health Insurance were very enlightening and educational even to our opponents in the medical profession. His devotion to such legislation for the under-privileged is certainly appreciated by this organization.

LICENSING OF OPERATORS OF REFRIGERATING APPARATUS AND INTERNAL COMBUSTION ENGINES

*(Petition of the Massachusetts State Branch, International
Union of Operating Engineers)*

An Act to Provide That Persons in Charge of Refrigerating Apparatus and Internal Combustion Engines of Twenty-Five Horse Power or More Shall Be Licensed — Senate Bill No. 186.

Rejected by the House of Representatives March 2 and rejected by the Senate March 8.

An unsuccessful attempt was made again this year to have this legislation adopted providing for the licensing of persons in charge of refrigerating apparatus and internal combustion engines of twenty-five horse power or more. Regardless of the dangers of having unlicensed and inexperienced persons perform this type of work, the Legislature rejected it.

SUPERVISION OF LINEMEN, CABLE SPlicERS, METER MEN, ETC.

*(Petition of the Massachusetts State Federation of Labor
and the Massachusetts State Association of Electrical Workers)*

An Act Relative to the Supervision of Linemen, Cable Splicers, Meter Men, Operators and Station Electricians — Senate Bill No. 125.

Rejected by the House of Representatives March 31 and rejected by the Senate April 6.

Again this session the bill to provide supervision over linemen, cable splicers, meter men, operators and station electricians was presented to the Legislature, and again the power utilities lobby worked its "magic" to have it defeated.

Evidence galore was presented to the Committee on State Administration by the Massachusetts State Association of Electrical Workers, proving beyond a shadow of a doubt the dangers connected with these occupations. Cases of death and injury because of lack of supervision made no impression on the committee or the majority of the members of the Legislature.

The well-prepared case in favor of this legislation was ably presented by Charles D. Keaveney of the International Brotherhood of Electrical Workers, with the support of John F. O'Neill, Electrical Workers No. 326; Frank J. Smith, Electrical Workers No. 104; and many others within that industry.

BOARD OF EXAMINERS OF STEAMFITTERS

*(Petition of the Massachusetts State Association of Journeymen
Plumbers and Steamfitters)*

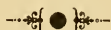
An Act Establishing the State Examiners of Steamfitters and Regulating the Occupation of Steamfitting — Senate Bill No. 30.

Rejected by the House of Representatives May 12.

Again this year the Legislature saw fit to reject this measure to provide for state supervision over steamfitters and the occupation of steamfitting,

but not until after an interesting fight was waged in favor of its adoption, led by Representative Edward Boland in the House of Representatives.

Before the Committee on State Administration, General Organizer Archie A. Gillis displayed his ability to present a real case, supported very ably by Senator James P. Meehan, President Theodore Granger and Secretary David A. Goggin of the Massachusetts State Association of Journeymen Plumbers and Steamfitters, and others.



BILLS OPPOSED BY LABOR AND DEFEATED

HERTER COLLECTIVE BARGAINING BILL

(Petition of Representative Christian A. Herter of Boston)

An Act Relative to Promotion of Equality of Bargaining Power Between Employer and Employee, Diminishing the Causes of Industrial Disputes by Encouraging Collective Bargaining and By Other Means, and Creating a Labor Relations Commission — House Bill No. 1745. (Subsequently substituted by House Bill No. 1883).

Adopted by the House of Representatives May 27, adopted by the Senate May 27, and signed by the Governor May 27. Now Chapter 70, Resolves.

Very soon after the United States Supreme Court declared the National Labor Relations Act constitutional the so-called Herter Bill was offered as a substitute for the Federation's Labor Relations Act, which met with the unanimous approval of employers throughout Massachusetts. At the same time similar legislation was being sponsored in almost every state where Legislatures were convening.

Obviously, its purpose was to curb the progress of organized labor and also to attempt to render the national act null and void in this Commonwealth. Its major effect on labor would be that:

1. Unions would have to organize as corporations or as voluntary associations and be subject to being sued as such in order to receive the benefits of the Act.

2. Unfair labor practices would apply to unions or their organizers and representatives, as well as to employers.

3. If interpreted on the basis of existing court decisions, strikes, threats to strike, peaceful persuasion, etc., would be unfair labor practices, and, therefore, illegal.

4. To encourage anyone to join a union would be an unfair labor practice, thus organizers would no longer be allowed to operate legally.

5. Company unions would be legal, and, in fact, encouraged.

6. It attempted to supersede the National Labor Relations Act by the deletion of a section of the original bill providing that the state law would not assume jurisdiction where the national act was applicable.

Representative Herter and employers, most of who operate businesses that are subject to the National Labor Relations Act and, therefore, really

are not affected by the adoption of a state labor relations act, were unanimously in favor of this measure on the ground that it was "fair" and not one-sided. Their attitude on this occasion seemed to prove that as employers they were willing to bargain collectively, and otherwise do business with unions, provided a law was passed that virtually outlawed unions, as this measure would very likely do.

So vigorous and united was labor's opposition to this measure that it was evident soon after the hearing it had little or no chance of being substituted for the original bill. Representatives of labor unions from every section of the Commonwealth were present at the hearing and did a splendid job of opposing the Herter Bill. Such a demonstration contributed much to the shelving of this bill.

However, it became part of a resolve for a recess commission to study the Federation's collective bargaining and labor spy bills. When both of the latter measures were enacted into law the resolve was adopted. Therefore, although the Herter Bill, as such, was defeated, a recess commission to study labor matters will consider it sometime before the next session of the Legislature.

ABOLITION OF BOARD OF REGISTRATION OF BARBERS

(Petition of Representative Martin R. Schofield)

An Act Providing That the Board of Registration of Barbers Be Abolished and the Laws Regulating the Occupation of Barbering Be Repealed — House Bill No. 163.

Rejected by the House of Representatives February 23 and rejected by the Senate March 1.

This attempt by Representative Schofield, who seems to be opposing labor too often of late, was vigorously opposed by the International Barbers Union of Massachusetts, with the support of labor generally.

There is much good work that could be accomplished by the Board of Registration of Barbers, provided Representative Schofield and other critics assist in having legislation adopted that would broaden the Board's powers.

CONCLUSION

Labor finds that it has many friends in the Legislature but also has its enemies, many of whom are of the type that oppose a petition simply because it was filed by the Massachusetts State Federation of Labor.

Outstanding among labor's friends is Senator James P. Meehan of Lawrence. A safe prediction would be that much of the labor legislation adopted this year would never have found its way to the Governor's desk after passing the House if it were not for Senator Meehan's hard work in the Senate. Constantly, and with never an exception, he handled labor's measures, obtained roll call votes, garnered support, and was always otherwise helpful to labor in the upper branch.

In the House of Representatives both Representatives Timothy J. Murphy of Boston and Rodolphe G. Bessette of New Bedford must be given

their full share of credit for the part they played in having the Massachusetts Labor Relations Act passed by that branch. The efforts of Representative James P. Donnelly in connection with the passage of the law to eliminate the use of labor spies are deeply appreciated.

Delegates should consider the advisability of filing again next year such petitions as the bills to regulate private employment offices and to provide for the abolition of penalties for peaceful persuasion. I so recommend.

I sincerely appreciate the co-operation extended by President John F. Gatelee, Secretary-Treasurer Robert J. Watt, and members of the Executive Council, as well as by Miss Agnes T. Kane. Their assistance was most helpful and it has been indeed a pleasure and a privilege to have been associated with them during the past year.

To one of labor's outstanding friends, Commissioner James T. Moriarty of the Department of Labor and Industries, I am grateful for the co-operation and help extended, not only to me but also to the Massachusetts State Federation of Labor and its hundreds of unions.

Respectfully submitted,

KENNETH I. TAYLOR,
Assistant Secretary-Legislative Agent.



GIBBS, DEAN & COMPANY

One Beacon Street
Boston, Massachusetts

EDWARD GIBBS, JR.

Certified Public Accountant

WILLIS T. DEAN

July 12, 1937.

Massachusetts Federation of Labor,
11 Beacon Street,
Boston, Mass.

In accordance with your instructions we have made an audit of your books and records, for the fiscal year ended June 30, 1937.

We herewith submit our report together with financial statement and supporting schedules as follows:

The financial condition of the Federation as at the close of its fiscal year ended June 30, 1937 is set forth in the Statement of Condition presented in Exhibit A.

We make the following comments:

ASSETS

Cash on Deposit in Banks	\$16,531.79	
Cash on Hand	44.78	\$16,576.57

This account summarizes as follows:

Balance July 1, 1936 per prior report.

On deposit — First National Bank of Boston

Checking Account	1,803.86	
Year Book Fund	500.00	
Boston Five Cents Savings Bank		
Book 982541	3,028.41	
Home Savings Bank, Book 404182	2,510.42	
Warren Institute of Savings		
Book 139313	3,459.14	\$11,301.83

Cash Receipts July 1, 1936 to June 30, 1937

Per Exhibit B	\$13,067.29
Per Exhibit C	5,690.00

Total Cash Receipts	\$18,757.29
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Total Cash to be Accounted for	\$30,059.12
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Cash Disbursements July 1, 1936 to June 30, 1937

Per Exhibit B	\$10,575.05
Per Exhibit C	2,907.50

Total Cash Disbursements	\$13,482.55
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Balance June 30, 1937	\$16,576.57
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This balance is on deposits and on hand as follows:

First National Bank of Boston, Checking Account	\$ 4,046.88
First National Bank of Boston, Year Book Fund	3,282.50
Boston Five Cents Savings Bank, Book 982541	3,104.59
Home Savings Bank, Book 404189	2,573.56
Warren Institution of Savings, Book 139313	3,524.26
Cash on Hand	44.78

\$16,576.57

We have examined all cancelled checks returned by the bank and have compared the amount with the entries in the Cash Book, and with the vouchers, with the exception of the vouchers for Traveling Expenses of Executive Council and postage. Deposits subject to check were found to be in agreement with the bank statements as of June 30, 1937.

Cash on Deposit in Savings Banks, as shown by examination of the pass books were further verified by direct correspondence with the banks. All books were stamped "verified 1937" by Bank Verification Audit.

Cash on Hand has been deposited in July 1937.

Due from Affiliated Organizations	\$1,018.89
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An abstract of the accounts of affiliated organizations shows 124 are in arrears.

Loan to Affiliated Organization	\$300.00
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This loan was made to the Retail Employee's Local No. 796 in March 1937, as per vote of the Executive Council.

Due from Year Book Advertisers	\$50.00
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LIABILITIES

Dues Paid in Advance	\$214.52
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This item includes prepayment of the Per Capita Tax of 52 Affiliated Organizations in the amount of \$214.52.

Reserve for Dues in Arrears	\$1,018.89
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This account was set up to reserve out Net Worth \$1,018.89 until collected.

Net Worth — Massachusetts State Federation of Labor	\$16,712.05
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This account represents the present net worth of the organization and compared with the 1936 report as follows:

1937	\$16,712.05
1936	11,782.27

Increase	\$ 4,929.78
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OPERATIONS

Operations — Exhibit B

The receipts from dues amounted to \$11,289.28, which compares with \$10,103.09 for the previous year.

The sum of \$1,300.00 was received from the American Federation of Labor. This represents payments by the National Organization of \$100.00 per month for first ten months. Beginning the month of May, \$200.00 has

been allotted by American Federation of Labor. The receipt for July 1936 was received and recorded in the previous report. These receipts are received in payment of office expenses of representatives of that organization working within this state.

The payments for the year covering administrative expenses amounted to \$10,275.05.

The operating result shows a net gain for the year amounting to \$2,792.24.

Year Book — Exhibit C

The operation of the Year Book resulted in a profit of \$2,732.50 as follows:

Advertising Income Received	\$5,690.00
Advertising Income Due	50.00
	<hr/>
Total	\$5,740.00
Less: Cash Received on 1936 Year Book.....	100.00
	<hr/>
Total Advertising Income	\$5,640.00
Deduct Cost of Year Book — per Exhibit C	2,907.50
	<hr/>
Net Profit on Year Book	\$2,732.50

We found the books and records have been kept in excellent order. If there is any further information desired, coming within the scope of examination, we shall be glad to furnish same.

Yours very truly,

GIBBS, DEAN & COMPANY

By: EDWARD GIBBS, JR.

Certified Public Accountant

FG:MR

Exhibit A

MASSACHUSETTS STATE FEDERATION OF LABOR

Statement of Condition

June 30, 1937

ASSETS

Cash in Banks	\$16,531.79
Cash on Hand	44.78
Due from Affiliated Organizations	1,018.89
Loan to Affiliated Organizations	300.00
Due from Year Book Advertisers	50.00
	<hr/>
Total Assets	\$17,945.46

LIABILITIES AND NET WORTH

Dues in Advance	\$ 214.52
Reserve for Dues in Arrears	1,018.89
Net Worth — Massachusetts State Federation of Labor	16,712.05
<hr/>	
Total Liabilities and Net Worth	\$17,945.46

Exhibit B

MASSACHUSETTS STATE FEDERATION OF LABOR

Statements of Cash Receipts and Disbursements

July 1, 1936 to June 30, 1937

July 1, 1936 Cash Balance from previous report	\$10,801.83
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CASH RECEIPTS

Dues Collected — Affiliated Organizations	\$11,289.28
Office Expenses — American Federation of Labor	1,300.00
Telephone Service — American Federation of Labor	66.82
Telephone Refund	6.75
Interest — Savings Bank Deposit	204.44
Bail Returned	200.00
<hr/>	
Total Cash Receipts	\$13,067.29
<hr/>	
Total Cash to be Accounted For	\$23,869.12

CASH PAYMENTS

Salary—Assistant Secretary-Legislative Agent Kenneth I. Taylor	\$2,850.00
Salary Office Stenographers	1,765.00
Rent and Light	984.35
Telephone and Telegraph	684.22
Printing and Stationery	671.30
Traveling Expenses	608.04
Convention Expenses	532.66
Expenses — Delegate to American Federation of Labor Convention	300.00
Loan — Retail Employee's Local 796	300.00
Expenses — Executive Council Meetings	276.20
Postage	261.00
Bail Posted	200.00
Office Supplies and Expense	211.58
Advertising and Notices	159.70
Legal Expenses	150.00
Radio Time	150.00
General Office Expense	109.30
Auditing	100.00
Office Equipment	89.10

Contribution	63.00
Public Stenographer re: State Fund Hearing	35.00
Union Label Committee for Convention Display	25.00
Funeral Wreaths	25.00
Social Security Tax	23.60
Per Capita Tax American Federation of Labor	10.00
<hr/>	
Total Cash Disbursements	\$10,575.05
<hr/>	
June 30, 1937 Cash Balance	\$13,294.07

Exhibit C

MASSACHUSETTS STATE FEDERATION OF LABOR
Cash Receipts and Disbursements
1937 Year Book

July 1, 1936 Cash Balance from previous report \$ 500.00

CASH RECEIPTS

Receipts from Advertisers 1936 Year Book	\$ 100.00
Receipts from Advertisers 1937 Year Book	5,590.00
<hr/>	
Total Cash Receipts	\$5,690.00
<hr/>	
Total Cash to be Accounted for	\$6,190.00

CASH DISBURSEMENTS

Commissions	\$2,257.50
Printing Year Book	550.00
Postage	100.00
<hr/>	
Total Cash Disbursements	\$2,907.50
<hr/>	
June 30, 1937, Cash Balance	\$3,282.50

Exhibit D.

MASSACHUSETTS STATE FEDERATION OF LABOR
Standing of Affiliated Organizations
Year Ended June 30, 1937.

	1937	1936
Affiliated Organizations beginning of year	482	
Affiliated Organizations accepted during year	87	
	<hr/>	
	569	
Affiliated Organizations cancelled during year	22	
	<hr/>	
Affiliated Organizations, end of year	547	482
	<hr/>	<hr/>
Affiliated Organizations in Arrears	124	69

MASSACHUSETTS LABOR RELATIONS ACT

An Act to Diminish the Causes of Labor Disputes Burdening or Obstructing Industry, and to Create a Labor Relations Commission, and for Other Purposes.

FINDINGS AND POLICY.

SECTION 1. The denial by employers of the right of employees to organize and the refusal by employers to accept the procedure of collective bargaining lead to strikes and other forms of industrial strife or unrest, which have the intent or the necessary effect of burdening or obstructing industry and trade by (a) impairing the efficiency, safety, or operation of the instrumentalities of industry and trade; (b) occurring in the current of industry and trade; (c) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods, or the prices of such materials or goods; or (d) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for such goods in industry or trade.

The inequality of bargaining power between employees who do not possess full freedom of association or actual liberty of contract, and employers who are organized in the corporate or other forms of ownership association substantially burdens and affects industry and trade, and tends to aggravate recurrent business depressions, by depressing wage rates and the purchasing power of wage earners in industry and by preventing the stabilization of competitive wage rates and working conditions within and between industries.

Experience has proved that protection by law of the right of employees to organize and bargain collectively safeguards industry and trade from injury, impairment, or interruption, and promotes the flow of industry and trade by removing certain recognized sources of industrial strife and unrest, by encouraging practices fundamental to the friendly adjustment of industrial disputes arising out of differences as to wages, hours, or other working conditions, and by restoring equality of bargaining power between employers and employees.

It is hereby declared to be the policy of the commonwealth of Massachusetts to eliminate the causes of certain substantial obstructions to the free flow of industry and trade and to mitigate and eliminate these obstructions when they have occurred by encouraging the practice and procedure of collective bargaining and by protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection.

DEFINITIONS.

SECTION 2. When used in this act —

(1) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

(2) The term "employer" includes any person acting in the interest of an employer, directly or indirectly, but shall not include the commonwealth

or political subdivision thereof, or any labor organization (other than when acting as an employer), or any one acting in the capacity of officer or agent of such labor organization.

(3) The term "employee" shall include any employee, and shall not be limited to the employees of a particular employer, unless the act explicitly states otherwise, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice, and who has not obtained any other regular and substantially equivalent employment, but shall not include any individual employed as an agricultural laborer, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse.

(4) The term "representatives" includes any individual or labor organization.

(5) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(6) The term "unfair labor practice" means any unfair labor practice listed in section eight.

(7) The term "labor dispute" includes any controversy concerning terms, tenure or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment regardless of whether the disputants stand in the proximate relation of employer and employee.

(8) The term "commission" means the Labor Relations Commission of the Commonwealth of Massachusetts created by section three (a) of this act.

LABOR RELATIONS COMMISSION.

SECTION 3. (a) There is hereby created in the department of labor and industries, but in no respect subject to the jurisdiction thereof, a commission, to be known as the "Labor Relations Commission" (hereinafter referred to as the "commission"), which shall be composed of three members, who shall be appointed by the governor, by and with the advice and consent of the executive council. One of the original members shall be appointed for a term of one year, one for a term of three years, and one for a term of five years, but their successors shall be appointed for terms of five years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The governor shall designate one member to serve as chairman of the commission. Any member of the commission may be removed by the governor, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

(b) A vacancy in the commission shall not impair the right of the remaining members to exercise all the powers of the commission, and two members of the commission shall at all times, constitute a quorum. The commission shall have an official seal which shall be judicially noticed.

(c) The commission shall at the close of each fiscal year make a report in writing to the general court stating in detail the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and

officers in the employ or under the supervision of the commission, and an account of all moneys it has disbursed.

SECTION 4. Each member of the commission shall receive a salary of six thousand dollars a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment. The commission shall appoint an executive secretary, and such attorneys, examiners, and regional directors and shall appoint such other employees with regard to existing laws applicable to the employment and compensation of officers and employees of the commonwealth, as it may from time to time find necessary for the proper performance of its duties and as may be from time to time appropriated for by the general court. The commission may establish or utilize such regional, local, or other agencies, and utilize such voluntary and uncompensated services, as may from time to time be needed. Attorneys appointed under this section may, at the direction of the commission, appear for and represent the commission in any case in court. Nothing in this act shall be construed to authorize the commission to appoint individuals for the purpose of conciliation or mediation or for statistical work, where such service may be obtained from the department of labor.

SECTION 5. The principal office of the commission shall be in the city of Boston, but it may meet and exercise any or all of its powers at any other place. The commission may, by one or more of its members or by such agents or agencies as it may designate, prosecute any inquiry necessary to its functions in any part of the commonwealth. A member who participates in such an inquiry shall not be disqualified from subsequently participating in a decision of the commission in the same case.

SECTION 6. The commission shall have authority from time to time to make, amend, and rescind such rules and regulations as may be necessary to carry out the provisions of this act. Such rules and regulations shall be effective upon publication in the manner which the commission shall prescribe.

RIGHTS OF EMPLOYEES.

SECTION 7. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection.

SECTION 8. It shall be an unfair labor practice for an employer —

(1) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section seven.

(2) To dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it; provided, that subject to rules and regulations made and published by the commission pursuant to section (6) (a), an employer shall not be prohibited from permitting employees to confer with him during working hours without loss of time or pay.

(3) By discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization; provided, that nothing in this act shall preclude an employer from making an agreement with a labor organization (not established, maintained, or assisted by any action defined in this act as an unfair

labor practice) to require as a condition of employment membership therein, if such labor organization is the representative of the employees as provided in section nine (a), in the appropriate collective bargaining unit covered by such agreement when made.

(4) To discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this act.

(5) To refuse to bargain collectively with the representatives of his employees, subject to the provisions of section nine (a).

SECTION 8A. It shall be an unfair labor practice for any person or labor organization to seize or occupy unlawfully private property as a means of forcing settlement of a labor dispute.

REPRESENTATIVES AND ELECTIONS.

SECTION 9. (a) Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment; provided, that any individual employee or a group of employees shall have the right at any time to present grievances to their employer.

(b) The commission shall decide in each case whether, in order to insure to employees the full benefit of their right to self-organization and to collective bargaining, and otherwise to effectuate the policies of this act, the unit appropriate for the purposes of collective bargaining shall be the employer unit, craft unit, plant unit, or subdivision thereof.

(c) Whenever a question affecting industry and trade arises concerning the representation of employees, the commission may investigate such controversy and certify to the parties, in writing, the name or names of the representatives that have been designated or selected. In any such investigation, the commission shall provide for an appropriate hearing upon due notice either in conjunction with a proceeding under section ten or otherwise, and may take a secret ballot of employees, or utilize any other suitable method to ascertain such representatives.

(d) Whenever an order of the commission made pursuant to section ten (c) is based in whole or in part upon facts certified following an investigation pursuant to subsection (c) of this section, and there is a petition for the enforcement or review of such order, such certification and the record of such investigation shall be included in the transcript of the entire record required to be filed under subsections ten (e) or ten (f), and thereupon the decree of the court enforcing, modifying, or setting aside in whole or in part the order of the commission shall be made and entered upon the pleadings, testimony, and proceedings set forth in such transcript.

PREVENTION OF UNFAIR LABOR PRACTICES.

SECTION 10. (a) The commission is empowered, as hereinafter provided, to prevent any person from engaging in any unfair labor practice (listed in section eight) affecting industry and trade. This power shall be exclusive, and shall not be affected by any other means of adjustment or pre-

vention that has been or may be established by agreement, code, law, or otherwise.

(b) Whenever it is charged that any person has engaged in or is engaging in any such unfair labor practice, the commission, or any agent or agency designated by the commission for such purposes, shall have power to issue and cause to be served upon such person a complaint stating the charges in that respect, and containing a notice of hearing before the commission or a member thereof, or before a designated agent or agency, at a place therein fixed, not less than five days after the serving of said complaint. Any such complaint may be amended by the member, agent, or agency conducting the hearing or the commission in its discretion at any time prior to the issuance of an order based thereon. The person so complained of shall have the right to file an answer to the original or amended complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint. In the discretion of the member, agent or agency conducting the hearing or the commission, any other person may be allowed to intervene in the said proceeding and to present testimony. In any such proceeding the rules of evidence prevailing in courts of law or equity shall not be controlling.

(c) The testimony taken by such member, agent or agency or the commission shall be reduced to writing and filed with the commission. Thereafter, in its discretion, the commission upon notice may take further testimony or hear argument. If upon all the testimony taken the commission shall be of the opinion that any person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the commission shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair labor practice, and to take such affirmative action, including reinstatement of employees with or without back pay, as will effectuate the policies of this act. Such order may further require such person to make reports from time to time showing the extent to which it has complied with the order. If upon all the testimony taken the commission shall be of the opinion that no person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the commission shall state its findings of fact and shall issue an order dismissing the said complaint.

(d) Until a transcript of the record in a case shall have been filed in a court, as hereinafter provided, the commission may at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it.

(e) The commission shall have power to petition the superior court in any county wherein the unfair labor practice in question occurred or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings and order of the commission. Upon such filing, the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the plead-

ings, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the commission. No objection that has not been urged before the commission, its member, agent or agency, shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the commission as to the facts, if supported by evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the commission, its member, agent, or agency, the court may order such additional evidence to be taken before the commission, its member, agent, or agency, and to be made a part of the transcript. The commission may modify its findings as to the facts, or make new findings, by reason of additional evidence so taken and filed, and it shall file such modified or new findings, which, if supported by evidence, shall be conclusive, and shall file its recommendations, if any, for the modification or setting aside of its original order. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the supreme judicial court for the commonwealth.

(f) Any person aggrieved by a final order of the commission granting or denying in whole or in part the relief sought may obtain a review of such order in the superior court for the county wherein the unfair labor practice in question was alleged to have been engaged in, or wherein such person resides or transacts business, by filing in such court a written petition praying that the order of the commission be modified or set aside. A copy of such petition shall be forthwith served upon the commission, and thereupon the aggrieved party shall file in the court a transcript of the entire record in the proceeding, certified by the commission, including the pleading and testimony upon which the order complained of was entered and the findings and order of the commission. Upon such filing, the court shall proceed in the same manner as in the case of an application by the commission under subsection (e), and shall have the same exclusive jurisdiction to grant to the commission such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the commission; and the finding of the commission as to the facts, if supported by evidence, shall in like manner be conclusive.

(g) The commencement of proceedings under subsection (c) or (f) of this section shall not, unless specifically ordered by the court, operate as a stay of the commissioner's order.

(h) When granting appropriate temporary relief or a restraining order, or making and entering a decree enforcing, modifying, and enforcing as so modified or setting aside in whole or in part an order of the commission, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by General Laws, chapter one hundred and forty-nine, section twenty C; chapter two hundred and fourteen, section one, nine, and nine A, and chapter two hundred and twenty, sections thirteen A and thirteen B.

(i) Petitions filed under this act shall be heard expeditiously, and if possible within ten days after they have been docketed.

INVESTIGATORY POWERS.

SECTION 11. For the purpose of all hearings and investigations, which, in the opinion of the commission, are necessary and proper for the exercise of the powers vested in it by section nine and section ten —

(1) The commission, or its duly authorized agents or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to any matter under investigation or in question. Any member of the commission shall have power to issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question before the commission, its member, agent, or agency conducting the hearing or investigation. Any member of the commission, or any agent or agency designated by the commission for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the commonwealth, at any designated place of hearing.

(2) In case of contumacy or refusal to obey a subpoena issued to any person, the superior court within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the commission shall have jurisdiction to issue to such person an order requiring such person to appear before the commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(3) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpoena of the commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(4) Complaints, orders, and other process and papers of the commission, its member, agent, or agency, may be served either personally or by registered mail or by telegraph or by leaving a copy thereof at the principal office or place of business of the person required to be served. The verified return by the individual so serving the same setting forth the manner of such service shall be proof of the same, and the return post office receipt or telegraph receipt therefor when registered and mailed or telegraphed as aforesaid shall be proof of service of the same. Witnesses summoned before the commission, its member, agent, or agency, shall be paid the same fees

and mileage that are paid witnesses in the courts of the commonwealth, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the commonwealth.

(5) All process of any court to which application may be made under this act may be served in the judicial district wherein the defendant or other person required to be served resides or may be found.

(6) The several departments and agencies of the commonwealth, when directed by the governor, shall furnish the commission, upon its request, all records, papers, and information in their possession relating to any matter before the commission.

SECTION 12. Any person who shall wilfully resist, prevent, impede, or interfere with any member of the commission or any of its agents or agencies in the performance of duties pursuant to this act shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than one year, or both.

LIMITATIONS.

SECTION 13. Nothing in this act shall be construed so as to interfere with or impede or diminish in any way the right to strike.

SECTION 14. (a) Wherever the application of the provisions of any other law of this commonwealth conflicts with the application of the provisions of this act, this act shall prevail.

(b) This act shall not be deemed applicable to any unfair labor practice subject to the National Labor Relations Act.

SECTION 15. If any provision of this act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SECTION 16. This act may be cited as the "State Labor Relations Act."

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